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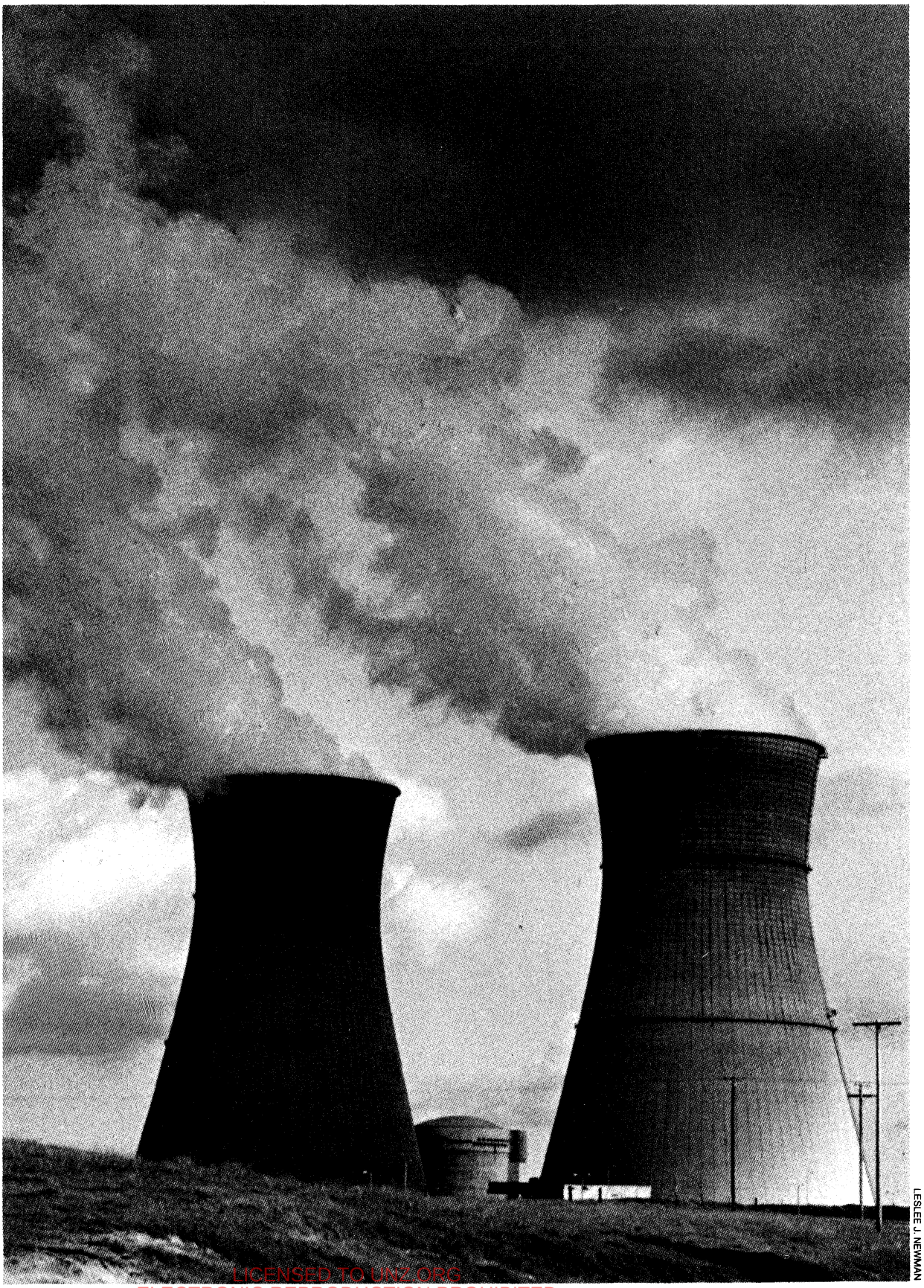
Tom Hazlett on the Reincarnation of Jerry Brown
Peter Breggin on the Death of Psychiatry
Plus: "Nuclear Power—A Foreword on Three Mile Island"



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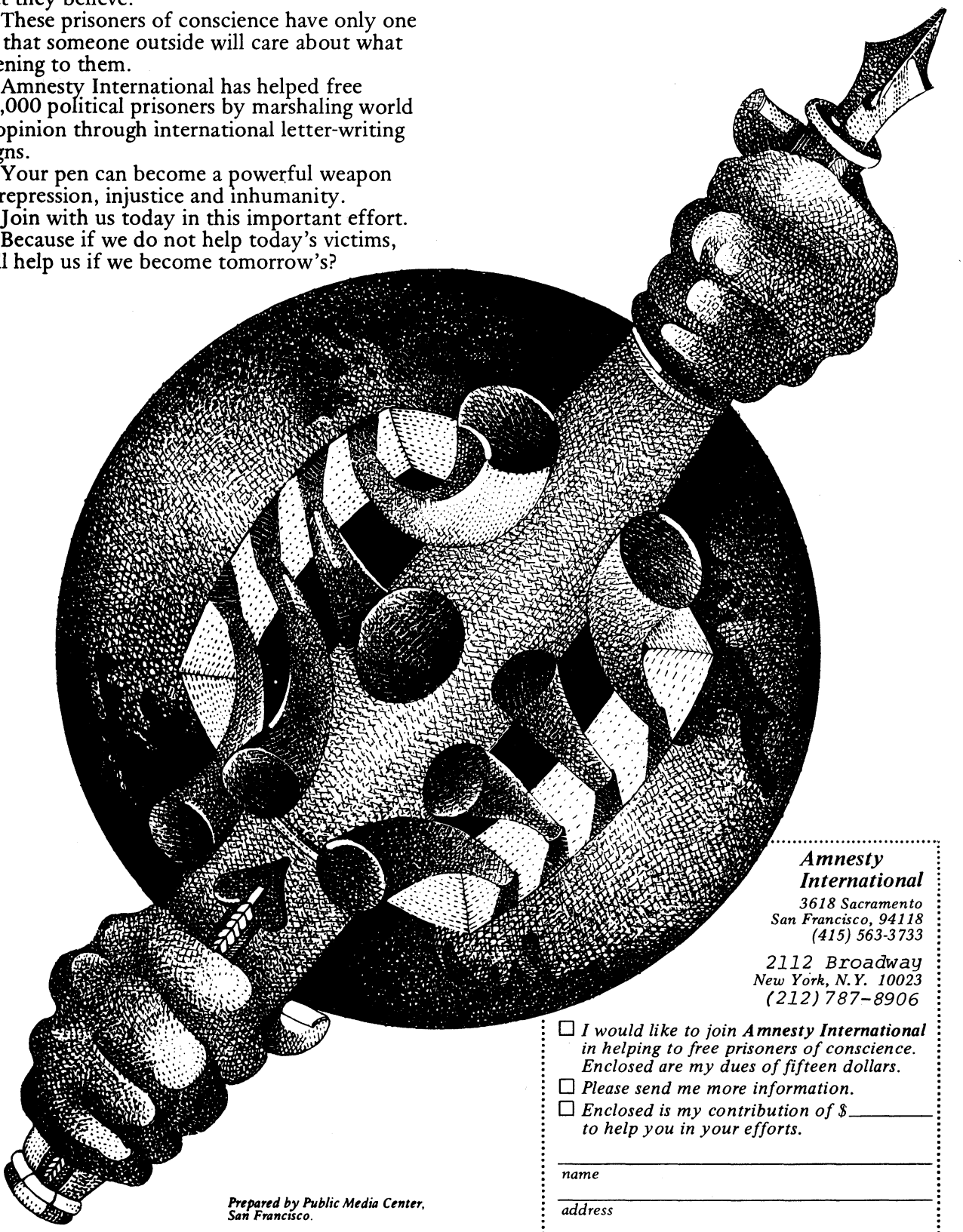

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THE LIBERTARIAN REVIEW

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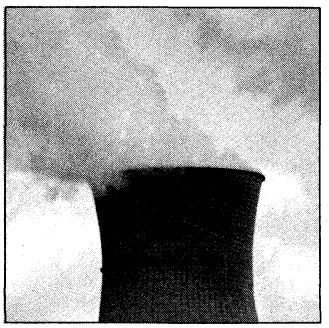

A Foreword on Three Mile Island

by Jeff Riggenbach

A forthcoming LR special issue on "Energy and American Foreign Policy" will examine the nuclear power question in more detail. But the recent events at Three Mile Island demand some preliminary remarks to set the record straight: it isn't businessmen in pursuit of profits who are to blame for the nuclear energy debacle, but politicians in pursuit of power.

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THE LIBERTARIAN EDITORIALS

Thermostat fascism

AND SO MR. CARter moves America closer to fascism, that word used here in its strict economic sense and not with the militaristic, ultra-nationalistic and racialistic ingredients added by the National Socialists in Hitler's Germany. With the one hand Jimmy giveth—the lifting of price controls on domestic crude oil—and with the other he taketh away. The President's proposed tax on "windfall profits" (meaning the profits that come to companies currently most easily scapegoated by demagogues) will function as another ingredient in the gradual governmental takeover, along fascist lines, of the American economy.

While socialists direct their energies to "nationalizing" industry, fascists devote themselves to "regulating" industry: the net effect is the same. Those who produce are subservient to those, in government, who supervise; and the government, whether it calls itself a People's Republic, or a social democracy, or the United States of America, slices away at the private sector and enhances the power of

"I'LL GIVE IT TO YOU STRAIGHT—!"

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government, all this in the name of The People.

Jimmy Carter is in the direct line of his predecessors and is merely continuing the process begun decades ago, but he's the current occupant of the kitchen and the heat is all his. But the President has refined further the rhetoric of "sacrifice" by which those who came before him attempted, with considerable success, to instill a massive sense of guilt in the American people and establish in the national psyche a sense of the necessity of putting up with induced inconveniences for the alleged benefit of all. Mr. Carter's recent speech on energy told us one important truth—we'll have to pay more for oil—but wrapped that hard reality in a gauze of deception, evasion, and hyperbole. Instead of moving immediately to the complete deregulation of the oil industry, which would inspire a significant increase in exploration and lead to a great increase in our energy supply, the President insists on hampering the industry with his "windfall profits" tax and his proposed requirement that the industry "use their [sic] income to develop energy for America, and not buy department stores and hotels, as some have done in the past." The assumption is that the industry needs Uncle Sam to direct it to what it has long wanted to do, as if only our protector in the White House could lead the companies to the proper path.

A close reading of Mr. Carter's April 5 speech reveals the dramatic use he prefers these days to make of the rhetoric of sacrifice. He places himself high atop the white horse that he intends to ride as he leads the masses to happiness and increased irrational hatred of big business, and he flips in little homilies to remind us of his homely virtues. Let us all, without fail, lop 15 miles a week off our driving. Let us organize car pools. Let us —but here attend carefully to the exact words:

"I have asked Congress to grant me standby authority in four areas, one of which is to require that thermostats in all commercial buildings be set no higher than 65 degrees in winter and no lower than 80 degrees in summer. As soon as I get that authority, I will use it."

In short, during working hours everyone will be too cold to work efficiently in the winters and dripping wet in the summers. Will this also include the Oval Office?

William Buckley once joked that we might on some unpleasant evening hear the President of the United States tell us that the government would come into our houses to regulate the thermostats. President Nixon merely "urged" everybody to keep their homes at his presidentially determined temperatures; President Carter asks Congress for authority to *make* commercial buildings do his bidding. Will he ask Congress for authority to make us to the same at home? Give him time.

Better still, let's not give him time. This is but one, though an important one, of the many ways the President would have us cringe before Big Brother. It is not yet too late to lobby Congress to stop Jimmy Carter in his tracks.

—DB

Liberalism amok

AS IF THERE WEREN'T enough to worry about, we must regretfully announce that one Phillip Green, a member of the editorial board of the *Nation*, has discovered a new and fearsome menace. Writing in that august journal ("America Amok," March 31, 1979), he reveals that "the honorable notion of rights," so important to libertarian thought, "is in danger of declining to an ignoble status, so multifold is the assault on our sensibilities of everyone's 'right' to do what they [sic] damn well please without giving a fig for anyone else's needs or concerns." If the reader somehow hasn't noticed this assault, Mr. Green provides a list of horrid examples.

To begin with, "A local restaurateur, incensed at proposals to enforce a 'public places' antismoking ordinance, says angrily that 'I got a *right* to do what I want"—presumably with his own restaurant; have you ever heard the like? But there is more. "Dog owners everywhere are in a rage over attempted or theoretical deprivation of their 'rights' (or their dogs' rights?) to surround their neighbors with a barricade of excrement." "Cult" leaders insolently demand the protection of "religious liberty" and some Oklahoma Congresscritter boasts of ignoring the 55 mph speed limit, in a "virulently meanspirited revelation of a determination to spread visible and expensive pollution to the farthest horizon possible in the pursuit of mere personal convenience." And still more: at a certain "eastern university, male homosexuals are alleged to have taken over one of the university's washrooms and are said to be subjecting wandering 'straights' to unpleasant sexual harassment." Just what this "harassment" consists of isn't nearly as important as the fact that "the local countercultural weeklies are deluged with comments about the 'right' (the *right?*) of everyone to 'have their own space' to 'do their own thing'; that the 'space' has been paid for and is meant to serve all residents of the Commonwealth equally is apparently of no matter." Yes, clearly the Dark Ages are upon us.

But Mr. Green, as befits one who teaches political science at Smith College, doesn't stop with this catalogue of horrors but points out the cause: "serious organs of thought and opinion, not to mention the omnivorously unprincipled mass media, take social solipsism seriously at the level of intellect." Exhibit A is *Inquiry* magazine, which "opposes national health insurance on the familiar ground that 'we' know better than 'government' does; and [whose editor] replies to an inquisitive reader that he can't think of a single way in which 'bureaucracy' has helped us obtain the means of a good life. Can such nonsense be uttered innocently?" Of *course* not. Certainly not by "the egregrious Milton Friedman," who (horrors!) "can be awarded a Nobel Prize after announcing on BBC-TV that the British, who compared to Americans engage in a wider range by far of political debate and fearless intellectual discourse, are 'less free' than Americans because their government [not "government"? Will he use the quote marks when the Tories return to power?] takes a bigger tax bite." (Such "nonsense"!) Nor by Robert Nozick, author of *Anarchy, State, and Utopia*, "a philosophical treatise whose elegance can't conceal the child-like cry of 'let me alone' that underlies it." That the book "is nominated for the National Book Award [Green was obviously in the washroom fighting off those nasty homosexuals when the social solipsist vote actually won Nozick the award] and Nozick written up as a serious political commentator in *The New York Times Magazine*" only underscores how parlous are the times. For behind the scenes, manipulating the foolish Nobel Laureates and *ven-*

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dido Harvard professors (Nozick even has *tenure*! How that must torture Mr. Green . . .), are the evil capitalists, seeking whom they would devour:

> Can all the self-styled libertarians, opponents of "Big Government" and the like really be unaware that merely individual rights, unrestrained by defined limits, common moralities and rules of justice, are nothing more than rationalizations for the right of the strong and well-possessed, and the subordination of the weak and propertyless? We expect businessmen routinely to lie to us about the real balance of power in society; they know that when the assertion of individual rights replaces community reasoning about the limits of behavior, it is might and might alone that "makes right." Can their intellectual frontmen really be unaware of that? One remembers that Nozick's book, when it first came out, was being avidly read in the Nixon White House, and some found it paradoxical that a "libertarian" tract should appeal to the most oppressive, authoritarian regime in American history. But there's no paradox in that: Haldeman, et al., must have understood perfectly well that tyranny of the powerful and propertied is always the result of laissez-faire.

It is a vision to freeze the blood and stupefy the mind; the hordes of inconsiderate smokers, Moonies and sodomites, with their gas-guzzling cars and their big-bowelled dogs, incited by a handful of renegade academics in the pay of Wall Street, advancing upon all that is good and true and liberal to trample it underfoot. Perhaps we shouldn't judge Mr. Green too harshly. After all, if Paul Samuelson can blame Ireland's Great Potato Famine on *laissez-faire* (the English, of course, strictly respected the property rights of the Irish when they stole their country), Green can blame it for the *ancien regime* (he did claim that tyranny is *always* the result of *laissez faire*, after all!). We won't even tax him with all the revisionist historians, such as the socialist Gabriel Kolko, who has demonstrated rather conclusively that the modern Corporate State is a creature of *government*—dating back to the so-called Progressive Era when the state gave the robber barons the cartelizing power they couldn't get under *laissez faire;* continuing through the New Deal (pity we can't do more than mention an anecdote provided by Murray Rothbard: shortly before FDR's inauguration, it seems, financier Bernard Baruch gave the Brain Trust a translation of Fascist philopher Giovanni Gentile's current *opus*; they were supposedly delighted by it . . . The sound you hear is Mr. Green bursting a blood vessel. Tough. He who lives by intellectual guilt by association—tying Nixon around Bob Nozick's neck, for example—will perish by it); and even to the present day. And any comment we could make on what he seems to think is a conclusive defense of the welfare state—"I, like most middle- (and low-) income people would not have the faintest idea how to go about allocating present income for only vaguely discerned future needs"—would only be a cheap shot. But really: it is wondrous to behold how perfectly Green misses the mark. Every one of those horror stories is an example of how various people are responding to the mismanagement by government of its so-called public property (or their own private property, as in the case of that hapless restaurateur who enrages Green so); and Green rants about "individual and collective selfishness." "Serious organs of thought and opinion" are discovering that this mismanagement is universal, and Green calls it "social solipsism." Economists and philosophers are beginning to realize that the solution lies in breaking free of the corporate welfare/warfare state and striking out towards new social institutions based on freedom and individual right—towards *libertarianism*—and poor Mr. Green, like all too many of his comrades, responds with hysterics, invective, and lashing himself to the mast of the foundering ship of state and yelling "*Gemennutz geht vor Eigennutz*" ("The Common Good Before the Individual Good"; an old Nazi slogan). Verily, in this day and age it is the liberals who have learned nothing and forgotten nothing.

But do Green and his fellows really expect to go down with the ship? "In the short run," he concedes, "it might appear politically suicidal to oppose what seems like the wave of the near future, but that is a short-sighted conclusion." Though dog droppings obscure the sky, still "Somewhere, somehow, governance always does and must take place," and "a recapture of the egalitarian, democratic spirit" may someday be possible if the liberals but hold fast to their principles (such as they are). And this is a real possibility. But ideologicaly blinkered as he is, Green overlooks one fact; libertarians do not concede that "governance always does and always must take place." While the keepers of the liberal flame repair to their mountaintop, railing at the "selfish" masses, libertarians have a golden opportunity to irremediably destroy "governance", or at least cripple it permanently, and fulfill the ambition which the Left has long abandoned: replacing the government of men with the administration of things. All we have to do is give the people sound reasons to go yet further down the road they are already predisposed to travel. When Green and the *Nation* finally decide to come down from the mountain and address the masses once more, they shouldn't be surprised if the masses tell them to shove it.

—BB

The new draft lobby

IT IS BEING ORCHESTRATED brilliantly, this preparation of the country for a renewed selective service. The military honchos with the privates mowing their lawns are pushing the draft; the trigger-happy Congresshumans are scurrying about their offices whipping their servants into shape to draft the appropriate legislation; and the born-again wheeler-dealer himself, big John Connally, perhaps just a bit tuckered out after a long hard day shaking hands in Massachusetts, allows as how those who oppose a revived draft aren't quite American enough for him.

And you thought we had been through all this once before? We have been through it before; but like adolescent pimples, the nastier notions of the all-encompassing State keep popping out again on the political horizon. At the time of our half-hearted adventure in Vietnam (the war, you recall, that we were just about to win if only X number of troops and Y number of dollars were poured down the hole), a goodly portion of the self-styled "anti-war" protesters were in reality protesting their own vulnerability to the draft. Call it unpatriotic, call it yellow, call it the font of wisdom, call it the higher virtue, call it anything you like: but recognize that when the draft went, so went the anti-war movement, into self-elimination. It just disappeared, because the youngsters protesting the war hadn't then, and haven't now, much of a sense of political reality, but

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they know the difference between being alive and being dead; why, they even mumbled that "speed kills" while enjoying the drugs they assumed wouldn't kill them.

Pull back just a bit from the ideological confrontationist mentality, and worry less for a moment about whether we should or should not have been in Vietnam, and consider only the mind-set of a young man who doesn't know what the hell the war is all about, but really much prefers to stay at home and neck in the back seat of his car with his girl. It is not, all things considered, an unreasonable preference, is it?

Not that there aren't plenty of gung-ho types who want very much to join the navy and see the world, or join the army and learn a trade, or join the marines and imagine that they're John Wayne, or join the air force and surpass the speed of sound. I touched here earlier (LR March) on the mentality of those who want to coerce every American youth into some sort of "national service," be it military or civilian. One hopes that the latter idea, pushed primarily by the very liberal pols and their hangers-on, will die its deserved death. But the notion of reviving the draft has a more powerful lobby, and even with efforts now proposed to insist on the drafting of women too (as a way of killing the measure if it comes to a vote in Congress), the push is on. The Joint Chiefs are acting jointly to get a draft underway lickety-split, and the born-again wheeler-dealer (the term is Bill Loeb's but it's too perfect for John Connally to remain the sole property of the *Manchester Union Leader*) is not alone among serious presidential aspirants in seconding the motion and furthering the abysmal notion that the only way this country can defend itself is by enforcing military service on the unwilling.

Balderdash. Many functions now performed by military people could be performed by civilians, and let the generals mow their own damn lawns. Higher pay, more congenial living arrangements, and a more technologically sophisticated military is called for in the 1980s: the draft is the easy way out and the bad way out. It helps condition Americans to accept Big Brother's call as the same as America's call. It is a rotten idea and it should be opposed, vigorously, by liberals, conservatives, libertarians, and any others who love their country but don't think their country has an automatic option on their lives.

—DB

UPI

"A goodly portion of the self-styled 'anti-war' protesters of the '60s were in reality protesting their own vulnerability to the draft."

Balancing the budget

THE CONGRESS HAS about as much desire to further the chances of a balanced budget amendment to the United States Constitution as it has to limit its members' earnings from outside sources: it has no such desire at all. All of our Constitutional amendments have joined the Constitution in one of the two ways the document provides for its own alteration. Congress has approved a proposed amendment and sent it then to the states for ratification. The alternative method, a Constitutional Convention, has never been used since the first one wrote the fundamental document and altered the form of our country's government.

Now twenty-eight states have requested a convention to consider such an amendment, two more appear likely to do so very soon, and only four more must so act before the Congress is obliged to go along with the idea. According to a New York Times survey, eighteen of the remaining twenty states appear indisposed to act favorably on the call for a convention; so even the most fervent supporters of the idea recognize that the final states may not jump on the convention bandwagon in the near future.

Meanwhile, Congress is itself finally taking the idea of such an amendment seriously. The Powers are hostile to it, but many of the conservative Senators are working hard to get such an amendment passed in Washington so it can be submitted to the state legislatures for ratification. Their reasoning is both substantive and procedural: they want such an amendment

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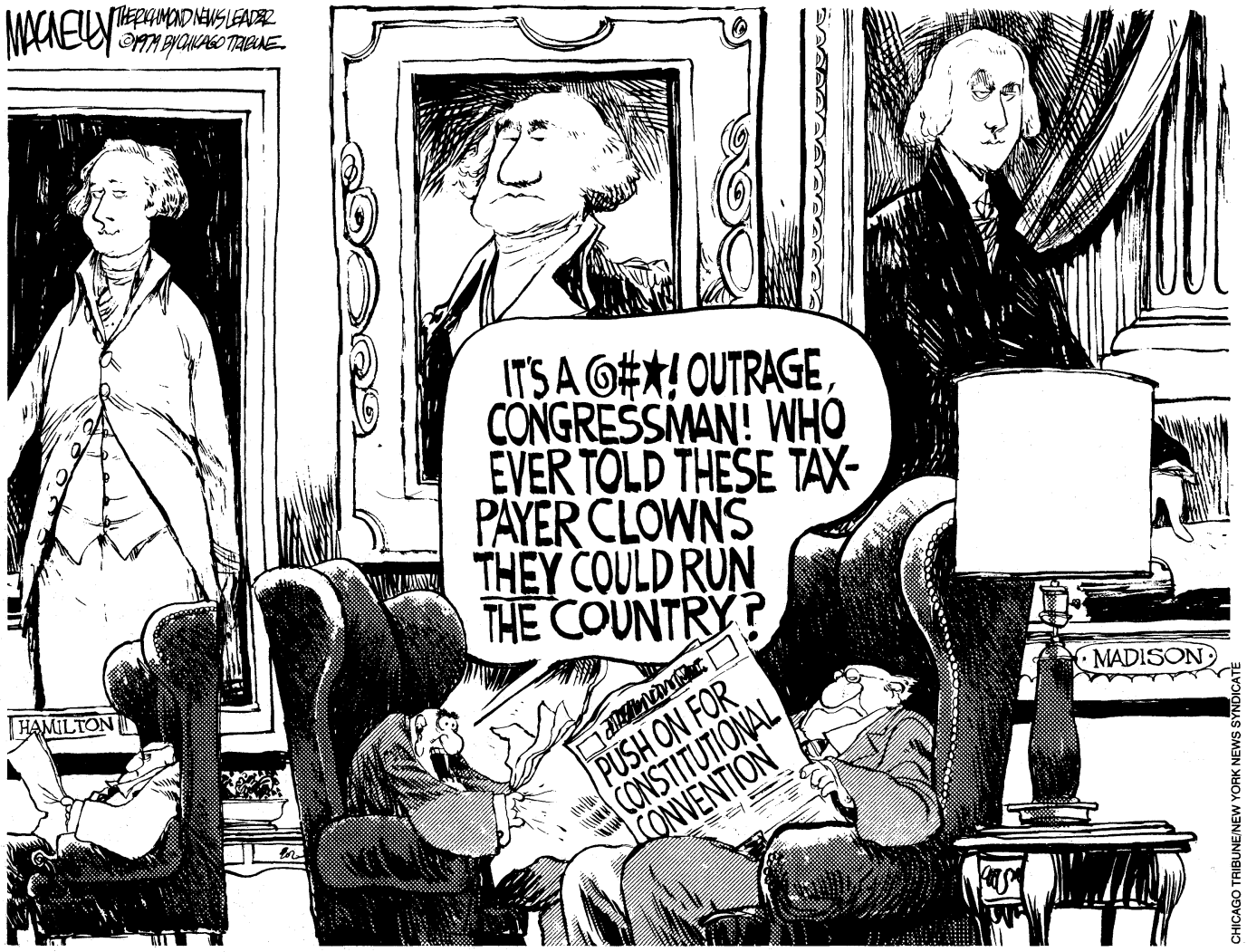
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PUSH ON FOR CONSTITUTIONAL CONVENTION
HAMILTON
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for its presumed benefit to the economy and its obvious popularity with an increasing number of taxpayers; and they have some reservations, ranging from mild to severe, about the possible consequences of a convention.

While the proponents of the budget balancing amendment insist that a convention summoned to consider such an addition to the Constitution could consider no other proposed amendments at a convention, many others, including some who favor the idea of requiring the Federal government to balance its budget, fret about the possibility, however slight, that once a convention assembled it would be open season on the whole Constitution.

Since this is virgin territory there are no precedents, and there is no unanimity among Constitutional scholars about the matter, whatever one may think about the proposed amendment, one might at least harbor some qualms about returning to 1787 and perhaps tinkering with the entire Constitution, even though no change could take place until three quarters of the states had ratified it. Senator Gary Hart of Colorado, who considers a balanced budget amendment "both unnecessary and unwise," caught the irony of the situation when he noted: "It's a sorry state of affairs when the American people are demanding a constitutional convention because they don't trust us, and we are saying, 'No, you can't have one; we don't trust you.'"

The American people tend usually to leave governance to those elected for the purpose. Only rarely do the people attempt an end run around the politicians, though the device of the referendum is becoming an increasingly popular one, indicating, as Senator Hart says, that some significant portion of the people do *not* trust the pols.

Maybe the Congress will make its own end run around the current neopopulism by doing something dramatic about taxes. Now and again a tax "reform" bill wriggles through Congress, only to emerge as a reform in name only, in actuality merely a shuffling around of the burden of taxation. The people, to whatever extent that shifting entity can be identified, seem to be saying that the burden of taxation is at or near the unbearable point. Perhaps Congress will get the message before a convention becomes a reality. But if past is prologue, the solons will play ostrich, the game they they know best. —DB

Guest Editorial

Puritans' progress

MUCH AS I DISTRUST willingness of Californians to run to the initative process whenever they are mightly annoyed, I must say there is one such measure I would like to see prevail. This is the attempt by a small group of citizens to get rid of San Francisco's wholly redundant "vice squad." I wish I had thought of the idea myself.

The vice squad initiative was thought up by the Libertarian Party of California, and announced at a recent press conference. The measure would make it illegal for the city Police Department to maintain a vice squad.

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The vice squad is assigned to handle what are often called "victimless crimes," such as prositution, gambling, public homosexual conduct and adult entertainment and bookstores. The initiative also repeals various vice ordinances in city law, including the new anti-pornography ordinance recently put into law by Mayor Dianne Feinstein.

In order to appear on the November ballot, 10,500 signatures must be obtained by August 6. At last report, 2500 signatures had been collected.

Vice squads have never made any sense to me, and they make less sense year by year. Especially do they make little sense in a town like San Francisco, where the Puritan tradition has lost its tenacity in most places. One place where it still notably obtains is in the Police Department, where Irish-American puritanism still holds sway in important upper echelons.

As I have maintained since the early '60s, vice squads are merely armed preachers. They enforce morals, which is not properly a function of police administration.

The argument that vice squad cops are better employed in combatting crimes of theft and assault is a cogent one, but it is essentially irrelevant. Vice squads are just wrong, period. And I sense a growing consensus among the voters of this town that this is so.

My guideline in this whole matter of sumptuary laws and their enforcement has been the works of John Stuart Mill, in the introduction to his great work *On Liberty*. Said Mill: "The sole end for which mankind are warranted, individually or collectively, in interfering with the liberty or action of any of their number is self-protection."

What vital interest, one may ask, is served by having grown men in uniforms round up whores in flats, gamblers in the back of cigar stores, or people performing proscribed sex acts in the bushes? Or nailing them for selling dirty books? Give the proposition a think or two and I think you will see the merit of getting the cops out of the morals business, once and for all.

In this country, the whole thing started with those admirable New England settlers who set out to "purify" the Church of England. These Puritans knew the answers to everything. They would not only keep the peace, they would also cut down on the everyday pleasures of their neighbors.

The great puritan-smiter of our times, H.L. Mencken, memorably nailed their chief tenet—"The haunting fear that someone, somewhere, may be happy." In pursuit of their version of the great society, the early Puritans made penal offenses of fornication, profanation of the Sabbath, drunkenness, games of chance, blasphemy and the performance of works of a theatrical nature.

Some of these things eroded as civilization gained on an increasingly mixed culture in this country. We no longer prohibit actors and actresses, but the heavy residue of the vice squad remains. Society still wants, or thinks it wants, these burly boys with service revolvers to keep other people from doing things they want to do that are not properly the concern of law.

The Libertarian Party is opposed to all governmental restrictions in both economic affairs and personal ways of living. I hope their initiative goes well this time around. It has the force of an idea whose time has come. ❑

—Charles McCabe

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OPENING SHOTS

BILL BIRMINGHAM

THE RIGHTIST press has, of course, had a wonderful time castigating everyone to the left of Willis Carto over the great People's Temple debacle ("Media Ignore Jonestown's Marxist Roots," bellowed Pat Buchanan in *Human Events*). But the *Militant,* the Socialist Workers Party organ, would have none of it. "It is neither an exaggeration nor an oversimplification," that august journal informed us, "to say that capitalism is responsible for what happened in Guyana." Jim Jones's disciples "were trying to escape the exploitation, the racism, and the pervasive brutality which are the indelible features of the capitalist society in which we live," but alas! "they didn't know how to fight the evils of capitalism"—they had never read the *Militant,* you see—"and fell victim to the warped vision of a cult leader." A *socialist* cult leader? The Trots know better: "Rosalyn Carter made a campaign appearance at the People's Temple, and Jones sent several hundred of his members to Washington for Carter's inauguration. The record is ample [sic] enough. Jones was a Democrat, not a socialist." Some might object that the two are hardly mutually exclusive, but it's best to take no chances. The next time you're at the White House, be sure not to drink the Flavorade.

Since gun control has been such a big success in New York City, Pete Hamill, he of the calloused hands and frontal lobes, is pushing knife control. In a recent *New York Daily News* column he said: "All pocket knives—not simply switchblades—should be banned in the city; anybody caught selling them should be jailed, not fined; if a weapon is sold illegally, then the seller—if the weapon is traced—should be held as a co-defendant in any crime in which the weapon is used. Possession of a pocket knife should be punished just as severely." Hamill will hear no feckless talk about the right to bear arms: "The purpose of a pocket knife is to cut," he intones. "Not apples, pencils, or roast beef. People." The NCA (National Cutlery Association) is already printing up bumper stickers: When sharp and pointy things are outlawed, Hamill will be beheaded.

Surely the Food and Drug Administration will seize upon this as proof positive that corn rots the brain: the Iowa Poll reveals that the residents of that state consider John F. Kennedy to be the greatest of all American Presidents. Runners up were FDR, Abraham Lincoln the Great Equivocator, Harry Truman the Butcher of Hiroshima, Eisenhower, Teddy Roosevelt, and then Thomas Jefferson. Hot on Jefferson's heels was Richard Nixon. The above was taken from *Public Opinion* magazine, which also noted that the Tricky One placed eighth on the Gallup Poll's list of those whom Americans most admire; up one from last year, when he tied with the Pope.

As libertarian greybeards dither over "collective security" as an abstract and hypothetical issue (might it not be advisable for Erewhon to make a mutual defense pact with Shangri-La to contain the imperialist ambition of the land of Oz?), the real-world disintegration of the collective security concept proceeds apace. CENTO, the Central Treaty Organization (neé the Baghdad Pact), seems about ready to join SEATO in that famous dustbin of history. Pakistan withdrew from CENTO soon after Iran did ("The pact lost its meaning with the withdrawal of Iran," said a Pakistani spokesman, "but we had been moving independently to that position"), leaving only Turkey and Britain, and of course the U.S., to continue with John Foster Dulles's dream of "containing Communism" along the so-called Northern Tier. During the recent unpleasantness in Iran, such warhawks as the *Wall Street Journal* tried to invoke CENTO as an excuse for American intervention on behalf of the Shah; just as they had invoked SEATO to justify American involvement in Indochina. We got off cheaply this time; let's hope the greybeards manage to derive a non-interventionist foreign policy from the Law of Non-Contradiction, or whatever it is they're holding out for, before it's too late.

The anti-ballistic missile may also be making a comeback. Perhaps the reader noticed the recent efforts (by military-industrial shill *Aviation Week and Space Technology* and other journals we shall charitably not mention here) to drum up support for a "particle beam" ABM system. With luck, articles such as "Particle Beam Weapons" (*Scientific American,* April 1979) by MIT physicists John Parmentola and Kosta Tsipis, will scotch that drive before it gets properly underway. But weirder forms of the ABM have been proposed. "Arms control expert Richard Garwin," notes Robert Shrum in *Politics Today* (March/April 1979), "has foreseen a giant 'pebble-projector fan' that would spit a ten-ton barrage of steel pellets, at a density of 10 pellets per square meter, toward an incoming

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Soviet warhead. 'God alone knows what that one would cost,' says an administration arms controller, 'and even He probably couldn't afford to pay for it.'"

Amtrak, America's socialist passenger rail system, gets two dollars in government subsidies for every dollar the passenger pays. On most routes, says Transportation Secretary Brock Adams, "we can give them a ticket free and send them by air" and still save money. To add insult to injury, Adams claims "Amtrak is an energy waster"; thereby refuting the chief excuse for subsidized railroads. But the ever-frugal Carter administration has a solution. It proposes to cut 12,000 miles of track from the Amtrak system and raise prices so that by 1985 the Amtrak passenger will be paying fully half of what his trip costs. To which Congresscritter Harley Staggers (D-W. VA), who chairs the House Commerce Committee, replies: "I cannot support any plan which sounds the death knell for rail passenger service."

Village Voice columnist Ellen Willis has suggested that the so-called "Right to Life" movement is at bottom an *anti-sexual* movement, noting that all anti-abortion arguments reduce to: "If she didn't want to get pregnant, she shouldn't have had sex." (Do not write and say that you are "pro-life" and hold a lifetime membership in the Society for Rational Bestiality.) This may help explain the case of 21-year-old Peter Burkin, who was arrested after firebombing a Long Island abortion clinic that had 35 people inside. (There have been over 20 such attacks in the last two years. Burkin is the first person to be arrested.) His mother told the press she was "dumbfounded, he was never interested in girls. We never talked about abortion in this family. We didn't even let the kids use the word 'pregnant'."

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Amtrak
CHICAGO TRIBUNE/NEW YORK NEWS SYNDICATE

Voices of Moderation, Balanced Budget Amendment Division: Calls for a new constitutional convention get short shrift from kneejerk liberal Richard Rovere. "It is at least theoretically possible," he warns in *The New Yorker* (March 19, 1979) "that another convention could reinstate segregation, and even slavery." Whether you find that persuasive, I suppose, depends on whether you'd rather tote dat barge or lif' dat national debt.

One of the first great libertarian victories was the 1971 Senate vote to cut off funding for the SST. It passed by just three votes, at least two of which were secured by the efforts of libertarian lobbyist James D. Davidson of the National Taxpayers' Union, in the teeth of frenzied opposition from conservatives and liberals alike. But it seems that there is now a campaign afoot to revive the SST. According to *Business Week* (March 19, 1979), NASA has been spending about $9-million a year on SST research, and Boeing (the original SST contractor), Lockheed (of bribe and bailout fame) and McDonnell Douglas "have spent a similar amount of their own money." Supposedly these companies have learned how to build a profitable SST (unlike the ill-fated Anglo-French Concorde). Lockheed claims that its SST design would cost just 20% to 25% more per seat to run than its current DC-10 jumbo jet, "Boeing now believes that little if any surcharge over economy fares might be necessary in the future," and "McDonnell Douglas foresees a potential market approaching $50-billion in current dollars over the next 25 years for SSTs." On top of that, *Business Week* claims, the new SST wouldn't harm the earth's ozone layer (a 1971-vintage concern). So at long last we will see a supersonic airliner produced completely (barring NASA's $72-odd million) by Private Enterprise, right? The chance, as one might guess, is fat. In fact, Boeing wants the Treasury to pony up $500-million to build a one-quarter scale SST prototype, or "we might withdraw from SST work." After that, the companies suggest that a Comsat-style government corporation, whose shares would be guaranteed by the taxpayer, might be needed to raise the estimated $7-billion the new SST would cost. (Lockheed's chief design engineer thinks no one would buy SST stock and, typically, wants a government loan. A $15 surcharge on each ticket would repay the Treasury in just 25 years—assuming a fleet of 400 SSTs.) Libertarians had best make ready to defend their victory; the House just defeated an attempt to kill NASA's SST research, which will cost $22.7-million in fiscal 1980.

For the benefit of all you junk food junkies, the regulation junkies in Washington insist that a one ounce serving of potato chips may not contain more than two percent of the U.S. Recommended Daily Allowance of salt.

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THE MOVEMENT

DAVID J. THEROUX

AT THE 1977 NAtional meeting of the Philadelphia Society —a national conservative group at whose meetings intellectuals and businessmen mix to discuss their mutual interests—historian Stephen Tonsor addressed the assembly of faithful conservative highbrows on the American Right's growing concern over the growth of libertarianism in America: "A[n] . . . important factor in what I believe to be the decline in the level and energy of intellectual theorizing is the impact of what has generally been called "libertarianism" on the quality and range of conservative concerns . . . Libertarianism as a *Weltanschauung* positively prevents thought by reducing the range of options for dealing with post-industrial society to a few threadbare platitudes, which libertarian intellectuals recite superstitiously at every occasion . . . The major consequence of this crisis is the loss of *civitas*, that spontaneous willingness to obey the law, to respect the rights of others, to forego the temptations of private enrichment at the expense of the public ideal. . . . Instead, each man goes his own way, pursuing his private vices, which can be indulged only at the expense of public benefits."

Since World War II, the shattered strands of the radical classical liberal tradition have reemerged into a powerful new intellectual and political force in the United States. Today, libertarianism is asserting itself as one of the most challenging new perspectives in philosophy, economics, history, sociology, and other disciplines. Libertarian issues and the Libertarian Party are shifting political debate from its once sterile conservative-liberal polarity to the more substantial polarity of individual freedom versus government power and class rule.

In recent years, it has been hard not to suspect that conservatives are in fact concerned with the amazing growth of libertarianism, because of the simple fact that it is individual freedom itself that they most fear. The conservative vision of a closed society relies upon the use of state power to crush diversity and social change. To the conservative, individual human lives are insignificant by comparison with the more "divine" pronouncements and desires of "throne and altar." In the 17th, 18th and 19th centuries, individualism was a revolutionary creed pitted against conservative caste and privilege, feudalism, mercantilism and war. Today libertarianism poses no less a threat to such cherished conservative institutions as militarism and the Cold War, the FBI and CIA, the vice squad and Calvinist social regimentation, and the stereotyping of men and women in the molds of a pre-industrial era.

And this libertarian challenge will simply not disappear, despite the efforts of the conservative guard to discredit it. Within recent years, an increasingly prevalent barrage of invective and distortion has appeared in the pages of the *National Review, The American Spectator* and other conservative journals. In addition, Edith Efron, Anthony Harrigan, Kevin Phillips and other columnists have attempted to smear libertarian ideas and institutions. But the momentum of liberty and the failure of statism has proved too overwhelming at the gates of conservatism.

Hence, the conservative guard was recently forced to invite libertarians to participate in the 1979 National Meeting of the Philadelphia Society, held in Chicago on April 6 and 7. Society President Ernest van den Haag had apparently hoped to portray libertarian radicalism as naive, unfounded, and antisocial, in the special program devoted to "Conservatism and Libertarianism"; many participants saw the meeting as an attempt to discredit libertarian ideas. But that is not what happened. Not only was the libertarian challenge proved fully reasonable and relevant as a political alternative, but it was the shallowness of the *conservative* alternative which found itself unmasked.

Beginning with a talk Friday evening by sociologist Robert Nisbet, author of *The Twilight of Authority,* the program centered around the standard critiques of libertarian theory. Murray Rothbard's timely and discriminating talk Saturday morning set the pace for the libertarian response with a point-by-point refutation of the conservative complaints. From here, the program's debate shifted toward the libertarian camp, with only token opposition from arch neoconservatives Walter Berns (American Enterprise Institute), William Kristol (*American Spectator*) and M. J. Sobran, Jr. (*National Review*). During the course of the meeting, libertarians Williamson Evers, Tibor R. Machan and David Friedman contributed exceptionally fine presentations.

The audience of nearly 300—more than twice the 1977 program's attendance—was clearly affected by the blind faith exhibited by the conservative ideologues, who, despite a firm defeat in panel after panel, remained undaunted in their devotion to militarism, statism, the morality of Elizabethan England, and an American world empire. Yet the blatant hypocrisy of conservatism was stripped bare with every call for more state power in the name of "virtue" and "civility."

The most pathetic illustration of conservative myth-making involved R. Emmett ("H. L.") Tyrell, Jr., editor of *The American Spectator,* and his presentation of the "Worst Book of the Year." Beginning with a

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feeble critique of Arthur Schlesinger, Jr.'s *Robert Kennedy and His Times,* Tyrrell made a mockery of even this highly conservative audience by launching an astonishing call for all-out war mobilization against the Soviet Union and an unqualified defense of the CIA's world-wide covert and paramilitary operations. The utter obscenity of the situation was made all the more grotesque by the fact that Tyrrell is billed by the conservative establishment as the heir to the great H. L. Mencken, with his unique wit, perceptions, and biting social commentary. In fact, the clown Tyrrell represents the myth of the American Right. Devoid of reason, economic or political relevance or constituency, the conservatives have desperately opted for an identity in American politics. In the past, their role lay in *opposing* liberalism, while offering no alternative direction themselves. Conservatives have had the money, the leadership, and the organizations, but the culmination of decades of this charade is a bumbling red-neck-in-white-collar embarassment from Bloomington, Indiana. With the recent advent of "neoconservatism" (the "New Deal Right"), the conservatives have attempted to attach themselves to what appears to be a new formulation of their cherished vision of the authoritarian society.

Unlike the conservative quest for power, the libertarian movement offers a new direction of hope for the future of the human race. As this meeting of the Philadelphia Society showed, the conservative clock is running out. For the future of humanity, libertarians are the only guide. ❑

Guest columnist David J. Theroux is Director of Academic Affairs for the Cato Institute. Milton Mueller will return next month.

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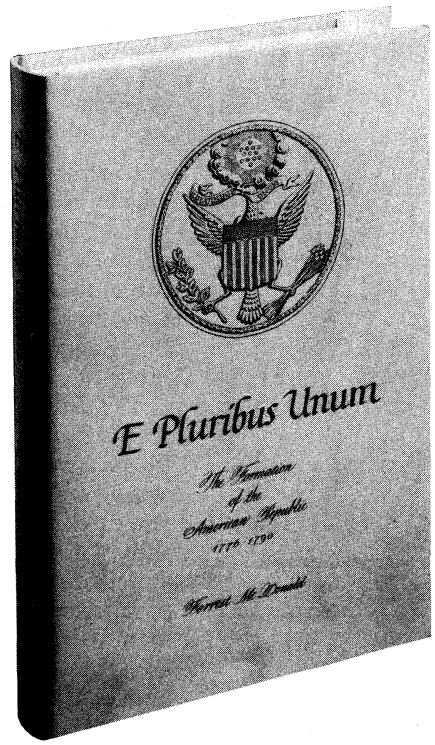

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THE PLUMB LINE

The balanced budget question

MURRAY ROTHBARD

ONE SUBSTANTIVE difference on issues so far between Ed Clark and Bill Hunscher, our two candidates for the LP Presidential nomination, is over the recently surging balanced budget amendment. According to the U.S. Constitution, if two-thirds (now 34) of the state legislatures propose a particular constitutional amendment, "Congress shall call" a constitutional convention to consider its passage. If the convention passes the amendment, it becomes part of the Constitution—*if* it is subsequently passed by three-quarters of the state legislatures. Clark considers the convention a good idea; Hunscher opposes it.

The libertarian anti-tax, anti-spending organization, the National Taxpayers Union, has been toiling in the vineyards of the state legislatures for years, getting one after another to pass a proposed constitutional amendment to require the federal government to balance its budget. Last year and this, in the wake of the great mass upsurge of anti-tax, anti-inflation, and anti-government sentiment across the country, state after state has passed this amendment, until now 29 out of the required 34 have endorsed the idea. The NTU—and the media—expect that the amendment will pass the required 34 states this year. What stand should the libertarian movement and the Libertarian Party take on this amendment?

First, we should realize that the balanced budget amendment is a genuine mass movement, overwhelmingly supported by the bulk of the people in this country, regardless of income group, occupation, party label, or self-proclaimed status as "liberal" or "conservative." Let us look at the overwhelming consensus of the most recent polls. Gallup gives the results as 81%-11% for the amendment; CBS-New York Times makes it 70-17% pro. The ABC-Harris poll makes the amendment a 3 to 1 winner: 69 to 23%. Associated Press-NBC is even more conclusive at 4 to 1: 75 percent pro to 16 percent against.

So: we have a genuine, overwhelming mass movement, led by an authentically libertarian organization. Before we repudiate or fail to go along with such a movement, we must think hard and long.

Not only that: the instinct of the public in supporting the amendment is sound as a bell. The public is not only rising up against our chronic and aggravated inflation, but it has finally, and at long last, identified federal deficit spending as having something vital to do with that inflation. This insight of the masses must be encouraged, not repudiated.

Secondly, the public, in its wrath, is courageously taking up a never before used clause of the Constitution. The usual procedure, of course, has been to pressure Congress to pass an amendment which the state legislatures must then ratify. In bypassing Congress in this way, the American public has shown that it realizes only too well that Congress has been the major culprit in budget deficits. If Congress has been so conspicuously a crucial part of the *problem*, how can we wait for it to be part of the solution? In its willingness to use a previously unheralded part of the Constitution, Americans are showing themselves willing to be radical, to use legal but unorthodox procedures to bypass the State. Our presumption, then, must be to support and endorse the balanced budget amendment. What are the arguments against it?

(1). *Worry over a wide-open convention.* In its scare tactics against the amendment, the Establishment has raised the spectre that constitutionally, the convention, once in session, could see fit to expand the scope of its deliberations and pass all sorts of irrelevant and even monstrous amendments: e.g., outlawing abortion, or even repealing the Bill of Rights. There are many rebuttals that can and should be made to this common charge:

(a) It is quite likely that the delegates to the convention will be expressly limited—either by statute or by judicial interpretation—to discussing the one amendment it was called to consider. Anything else could be considered beyond its legal scope.

(b) Even if (a) doesn't work out, the delegates who run for the convention can pledge themselves to deal with *only* the balanced budget question. Since that, in fact, is why the 34 states have called the convention, the pledge should not be difficult to exact.

(c) Even if (a) and (b) are somehow surmounted, and the convention passes irrelevant measures, three-quarters of the state legislatures would still have to ratify whatever the convention passed.

(d) If the balanced budget amendment ever got close to the convention stage, it is extremely likely that Congress, desperately anxious not to be circumvented by the convention procedure, would finally be stampeded into passing a proposed balanced budget amendment of its own.

For all these reasons, with all these safeguards, the worry about a wide-open convention is simply an Establishment red herring.

But more than that:

(e) Fear of the convention is part of the old conservative syndrome of fearing the people. There is an abiding

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'BALANCED FEDERAL BUDGET?—THAT'S RIDICULOUS'

difference between conservatives and libertarians which has been often overlooked: libertarians consider their main enemy to be the State, whereas conservatives consider their main enemy to be the masses, the general public. Conservatives fear the public as the source of political evil, whereas libertarians consider them our potential (and recently more and more our actual) ally, since we are all exploited by statism. Revealingly, conservative Senator Paul Laxalt (R., Nev.), a top Reagan aide in 1976, opposes this constitutional convention. Says Laxalt: "The idea of a consitutional convention going off on its own strikes me with a great deal of fear."

There are, of course, other, and far more cogent, arguments against the balanced budget amendment. Let us consider them in turn:

(2) *"Emergency" loopholes.* Unfortunately, the proposed balanced budget amendments all contain loopholds by which Congress can unilaterally declare an "emergency" any time it wishes, and by a two-thirds vote nullify the balanced budget provision. But this argument is only a prescription for chronic evasion; for, after all, every year the Congress keeps blithely raising its *own* statutorily imposed limit on the public debt. The Congress can always find "emergencies;" they abound everywhere.

(3) *The balancing can be up, not down.* If there is a deficit, the public, as well as libertarians, mean by the amendment that the government must be forced to balance its budget by cutting its expenditures, in short, by balancing its budget *down.* But, it might be argued, the federal government could with perfect legality, evade and circumvent the spirit of the amendment by balancing its budget *up*, that is, by raising taxes to meet its swollen expenditures.

(4) *The Federal Reserve can inflate, even with a balanced budget.* Not all federal deficits (i.e. those financed by selling bonds to the public) are inflationary. So we can have bank credit inflation even while the budget is balanced. The Federal Reserve can buy government bonds even if the federal budget is balanced, and thereby create inflation. Or, to put it another way, even though federal deficits are an all-important cause of inflation, the process works if and only if they are financed through the Fed and through the government-dominated banking system. Though in practice the linkage is close, there could be federal deficits that are non-inflationary, and Fed inflation even with a balanced budget.

All these points (2 to 4) are important correctives. They must be pushed by libertarians, pointing out to our allies on this issue that the balanced budget amendment, however worthy, will not serve as a panacea for the federal budget or for inflation. But this does not mean that we should fail to support or even oppose the balanced budget amendment. It simply means that, while calling enthusiastically for its passage, we should point out to the other advocates, as well as the public, the various loopholes and snags that the Establishment could use to scuttle or discredit the amendment.

Our best course while pushing for the amendment is to point out the problems, and to call for further statutes or amendments to solve them: e.g., by imposing sharp federal income tax cuts or by restricting the power of the Fed to purchase assets and thereby to "print" money. In short: we must support the balanced budget amendment, and at the same time call for pressing further to effect deep slashes in the pernicious federal income tax as well as to eliminate the Federal Reserve's power to inflate the money supply.

So let us support and welcome the libertarian instincts of the public on this issue, and call for correction by pushing them further, ever further, on the road to liberty. ❑

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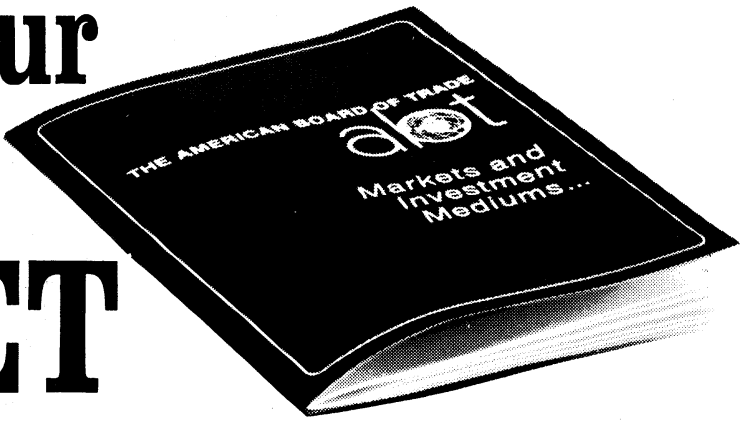

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THE PUBLIC TROUGH

Welfare for bankers

BRUCE BARTLETT

THERE IS A BATtle shaping up in Washington which appears to be a classic example of big businessmen fighting to retain a government privilege at the expense of consumers. The basic issue is this: Regulation Q sets the maximum rate of interest that can be paid by banks and savings and loans on passbook accounts. Currently, banks may pay up to 5% and other thrift institutions may pay 5¼%. Obviously, this is a great deal for the bankers and a terrible deal for savers. Banks get their money from small savers at 5%, lend it out for three-months to the Treasury for better than 9%, and the difference is their profit. Meanwhile, with inflation rising at the rate of 9% per year, savers are only losing 4% of their money per year. (Actually, it is more than 4% because taxes must be paid on the interest income.)

When the interest paid on Treasury bills went above the Regulation Q ceilings in 1977, the bankers began complaining that the Treasury was draining their funds, as people withdrew their savings and bought Treasury bills. In order to help the banks, the government allowed them to issue special six-month certificates paying the market rate of interest. The catch was that, like Treasury bills, you could only buy these money market certificates in denominations of $10,000. Clearly, this excluded the vast majority of savers who were stuck with 5% passbook accounts while the "fat cats" got almost twice that.

In February, Senator William Proxmire, chairman of the Senate Banking Committee, suggested that maybe small savers ought to get some benefit from current high interest rates also. He introduced S. Res. 59 (which does not carry the force of law) asking the bank regulatory agencies to allow banks to offer money market certificates in denominations of $1,000, instead of $10,000. And the bankers have been screaming ever since. They realize that if savers could get the market rate of interest by investing only $1,000 then Regulation Q is effectively eliminated.

BRUCE MCGILLIVRAY

Senator William Proxmire

There are really no good arguments for not eliminating Regulation Q. It's true that many banks would be in serious trouble, because they have been loaning out money for mortgages and the like long-term and covering the loans by borrowing short-term. As long as short-term interest rates stayed below long-term rates (as they usually do) they were okay. But short-term rates are now considerably above the interest rates banks were getting for long-term money just a short time ago. Thus there will be a squeeze on bank profits as the banks' cost of obtaining money climbs even higher.

It is inevitable that these kinds of problems are going to arise whenever an industry has been developed based on a special favor from government. In any case, the banks would be in far less trouble than they are if they had only followed sounder banking practices, and thought of themselves more as trustees for their depositors' money.

The prediction of doom to our banking system from Regulation Q's demise, however, cannot be justified. For one thing, everyone seems to be forgetting that an increase in the reward for saving (i.e. higher interest) will certainly have an effect on the rate of savings. In other words, more funds will be made available to the banks. This in itself will help ease pressure on interest rates and bring them back down again.

The idea that savers save to get a return on their money, rather than out of habit or something, is foreign to the bankers. They refuse to accept the idea that higher interest will increase savings and will not only increase their costs. Unfortunately, Professor Michael Boskin of Stanford has clearly shown that the rate of savings *is* responsive to the return on savings (see "Taxation, Saving, and the Rate of Interest," *Journal of Political Economy,* April 1978).

Another important factor that is forgotten is that real interest rates are really quite low. The real interest rate is the market rate less the anticipated rate of inflation. Thus if you were to loan money for a year during which time you expected inflation to rise 10% then it would not be unreasonable for you to ask for 15% or more on your money, since the real interest rate would only be 5%. In other words, it may be quite proper under current circumstances for interest rates to be much higher than they already are.

In the final analysis, Regulation Q must go, not for economic reasons but for moral ones. It is just not right to force small savers to subsidize large savers and bank profits. If this means putting a few banks out of business in the process, it still needs to be done. ❑

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THE MEDIA

Freedom of the press and property rights

MARSHALL E. SCHWARTZ

THE COURTS' ASsault on the basic constitutional principles of privacy and a free press continues unabated. Beginning with the Supreme Court's precedent-shattering 1967 decision in *Warden* v. *Hayden* (on the right of police to obtain evidence from third parties not implicated in criminal activities), and continuing with such anathemae as *Branzburg* v. *Hayes* (1972) and *Zurcher* v. *The Stanford Daily* (1978)—the first subjecting the press to court subpoenas, the latter opening newsrooms to searches by court warrant—the nation's judiciary has been doing its utmost to turn a *de facto* police state into a *de jure* one. After stripping ordinary citizens (through *Warden* v. *Hayden*) of their protection from police intrusions into noncriminal activities, the courts have been steadily peeling away any remaining safeguards from the press. Even so-called "shield laws," enacted by 26 state legislatures, have proved no bar to these unending incursions. Among the most recent examples of this assault are the following cases:

Last December 31, New York State Supreme Court Justice Sybil Hart Kooper ruled that the state's shield law—protecting a reporter's confidential sources—applied only to individuals working for "a newspaper, magazine, news agency, press association, or wire service," and not a book author—even one who had already published 30 volumes. The case involved author Lee Hays (a former television producer) who had interviewed one Willie Frank Holman for a book he was writing about the family of Navatro LeGrand of Brooklyn. LeGrand has been indicted in the murders of a pimp and his bodyguard, and is a son of a self-styled "bishop," Devernon LeGrand, who was convicted in 1977 of the murder of two teenaged sisters. The attorney for the younger LeGrand had asked that a subpoena be issued for Hays's notes and the tapes of his interview with Holman. Holman was a prosecution witness in the trial of two other LeGrand brothers for the same crime, and in the trial of the elder LeGrand.

On January 10, another New York State Supreme Court justice, William J. Deeley Jr., sentenced Pamela O'Shaughnessy, a reporter for the weekly *Kings Courier*, to 10 days in jail and fined her $250 for failing to identify one of her sources for an article on drug trafficking in Brooklyn. One of the alleged drug dealers mentioned in her article, Michael Zagarino, was later brought to trial on charges of selling narcotics. The chief witness for the prosecution was an undercover narcotics agent. The attorney for Zagarino sought to show that the undercover agent was one of O'Shaughnessy's sources for her story, in order to cast doubt on the agent's credibility. The reporter claimed the right to protect her confidential sources under the New York State shield law. Her problem was compounded by the fact that the undercover agent was never identified by name during his testimony, in order to protect his cover, so O'Shaughnessy can't even go back to her source to ask to be released from her pledge of confidentiality, since she doesn't know whom she is being asked to identify.

On January 31, Mansfield (Ohio) *News Journal* reporter Ronald Rutti was sentenced to jail on contempt-of-court charges by Richland County Common Pleas Judge Max H. Chilcote for refusing to surrender his notes to the judge. Rutti sought protection under Ohio's 1953 shield law for his notes for a series of articles describing several beatings and mysterious deaths in the Richland County jail—articles which led to indictments of Sheriff Thomas E. Weikel and 11 deputies on charges that include theft in office and violations of civil rights. Weikel's attorney sought Rutti's notes to determine if his client's rights had been violated during grand jury proceedings—despite the fact that Rutti testified in court that he had not talked to any grand jury member nor to any officer of the court.

On February 21, the Supreme Court denied a hearing to television reporter Joe Pennington, who was appealing a 60-day jail sentence for refusing to identify a confidential source. The sentence was imposed on Pennington, who now works for KPIX television in San Francisco, when he was a newsman for KAKE-TV in Kansas. This case stems from the trial of Hilda Sandstrom for fatally shooting her husband, Thad, in 1977. A "confidential source" told Pennington that several days before the murder, he witnessed an argument (at a party) between the soon-to-be-deceased and a witness for the prosecution. This individual did not hear what was said, but was told by yet another party that the witness-to-be had threatened Mr. Sandstrom's life. Pennington did not use the story, but voluntarily gave both defense and prosecution attorneys all the information except his source's name.

All of these incidents follow the jailing last year of *New York Times* reporter Myron Farber for 40 days on contempt-of-court charges. Farber had refused to yield his notes for a series of articles which led to the prosecution of Dr. Mario Jascalevich for murdering three patients at an Oradell, New Jersey hospital with overdoses of the muscle relaxant curare. Farber was released only when Dr. Jascalevich was found innocent, and the trial ended. Additionally, last August 11, the U.S. Court of Appeals for the District of Columbia ruled 2-1 that the government had the right to subpoena phone records of reporters (*without* notifying them beforehand, so that the subpoena could be con-

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tested in court) in order to determine who their confidential sources might be. (The case was originally brought in December 1974 by the Reporters Committee for Freedom of the Press on behalf of 12 journalists and two newspaper companies whose phone records had been subpoenaed by the government—and delivered by AT&T.)

Perhaps this unprecedented series of defeats for the First Amendment—and thereby for the rights of privacy and of free speech (and therefore of free *silence*) of everyone—should cause the Fourth Estate to look elsewhere in the defense of its rights. The various Supreme Court decisions, *Branzburg* and *Zurcher* in particular, have claimed to be efforts at striking a "balance" between prosecutorial and due process rights on the one hand, and free press and privacy rights on the other. With the state depositing its bloated weight on the side of its monopoly judicial system, there can be little doubt about what kind of "balance" will result—as recent cases have shown. The libertarian principles of *absolute* free and uncoerced speech, and absolute privacy from police incursion except in the case of criminal activity, have been wiped away without leaving so much as a soapy film.

Which leaves one as-yet-untried defense: property rights. When a source passes information to a reporter—whether orally or in written form—this information is *never* given for unrestricted purposes. It is provided solely for use in a news story—whether in a newspaper or a magazine, or on radio or television. The transaction is actually quite similar in nature to what occurs when a free-lance writer sells "first North American rights" for a story to a magazine: The periodical is not acquiring rights to permanent use of the piece in any form, for any purpose; just the right to be the first periodical (in North America) to publish the article.

So why can't a news source, an informant, do the same thing? He is not selling—or giving—unrestricted rights to his information; he is merely granting the reporter and his or her news outlet "first North American rights" to whatever information is printed or broadcast. Anything else remains the source's property; whatever isn't used reverts back to him. Thus, a reporter (or newspaper or television station) couldn't provide a court with such material, because he would not *own* it. It would belong to the source.

The whole procedure of investigative reporting would become a bit cumbersome: media lawyers would have to draw up standard contracts, and reporters would have to get their sources to sign one whenever the source wanted to remain confidential, or wanted to offer information *not* for publication (as a "deep backgrounder," in State Department terminology). Naturally, the contracts would include a clause making the informant's name part of the information *not* being sold.

Even if our judicial monopoly figures out a way to eradicate these property rights as they have most other constitutional guarantees, the effort should tie up courts and the attorney general's office long enough to give us all a breather from state harassment of our brains and the information contained therein. ❑

FIELD NEWSPAPER SYNDICATE

LR contributing editor Marshall E. Schwartz is a past editor of the *Stanford Daily* and a former reporter for the *San Francisco Chronicle*.

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NUCLEAR POWER: A Foreword On Three Mile Island

JEFF RIGGENBACH

The day was an unexpectedly warm one, but the 15,000 demonstrators who crowded into the wide plaza outside San Francisco's Capitol-domed city hall April 7 kept cool—partly with half-pint bottles of "organic" fruit juice from the dozens of ad hoc, open-air health food stands which had sprung up amongst the demonstrators like a benign fungus, partly with the newly won self-assurance of a radical minority which believes it has, overnight, become a majority. The 15,000 demonstrators knew, after all, that they were no longer voices in the wilderness in their opposition to nuclear power. Thousands of other Americans were attending dozens of similar rallies all over the country that same day—in New York, Los Angeles, Chicago, Boston, St. Paul and Concord, New Hampshire, and outside the nuclear power plants at Indian Point, New York and Moscow, Ohio. And public opinion polls taken since the ominous events of late March and early April at the Three Mile Island nuclear plant near Harrisburg, Pennsylvania seemed to show that the American Public's honeymoon with nuclear power was over. A *New York Times*/CBS News poll showed that 56 percent of Americans are unwilling to have nuclear power plants located in their communities and only 38 percent are willing to live near such plants. A *San Francisco Chronicle* poll showed that 56 percent of voters in Northern California believe all existing nuclear power plants should be shut down.

Still, rosy as the prognosis looked for the demonstrators, and gloomy as it looked for the nuclear power industry, there were other signs on that figurative horizon where changes in public opinion first see the light of day. There was the Harris poll reported in *Time* on April 16 which showed that 52 percent of Americans still favored construction of more nuclear power plants (presumably as long as they were built in someone else's community). There was the Gallup poll released a few days earlier which showed that 63 percent of Americans believed it was important to have more nuclear power plants (dangerous though they be) in order to meet anticipated demand for energy in the coming years. And there was the calm indifference to their danger exhibited by the workers at Three Mile Island and by many of the families who live in the shadow of that plant's cooling towers. "Do you think I'd work here if I thought it was dangerous?" one worker demanded of a reporter who solicited his opinion. A 21 year old central Pennsylvania man who runs a nearby family-owned dairy farm was even more explicit when he was questioned by the *Los Angeles Times*. "This doesn't bother me at all," he said.

It does bother millions of other Americans, however—we can be reasonably certain of that, despite the oddly conflicting findings of the polls—and not without good reason. The incident at Three Mile Island proves conclusively that we may not expect our government officials, our power company executives, and our journalists and media moguls (whether their bias be pro-nuclear or

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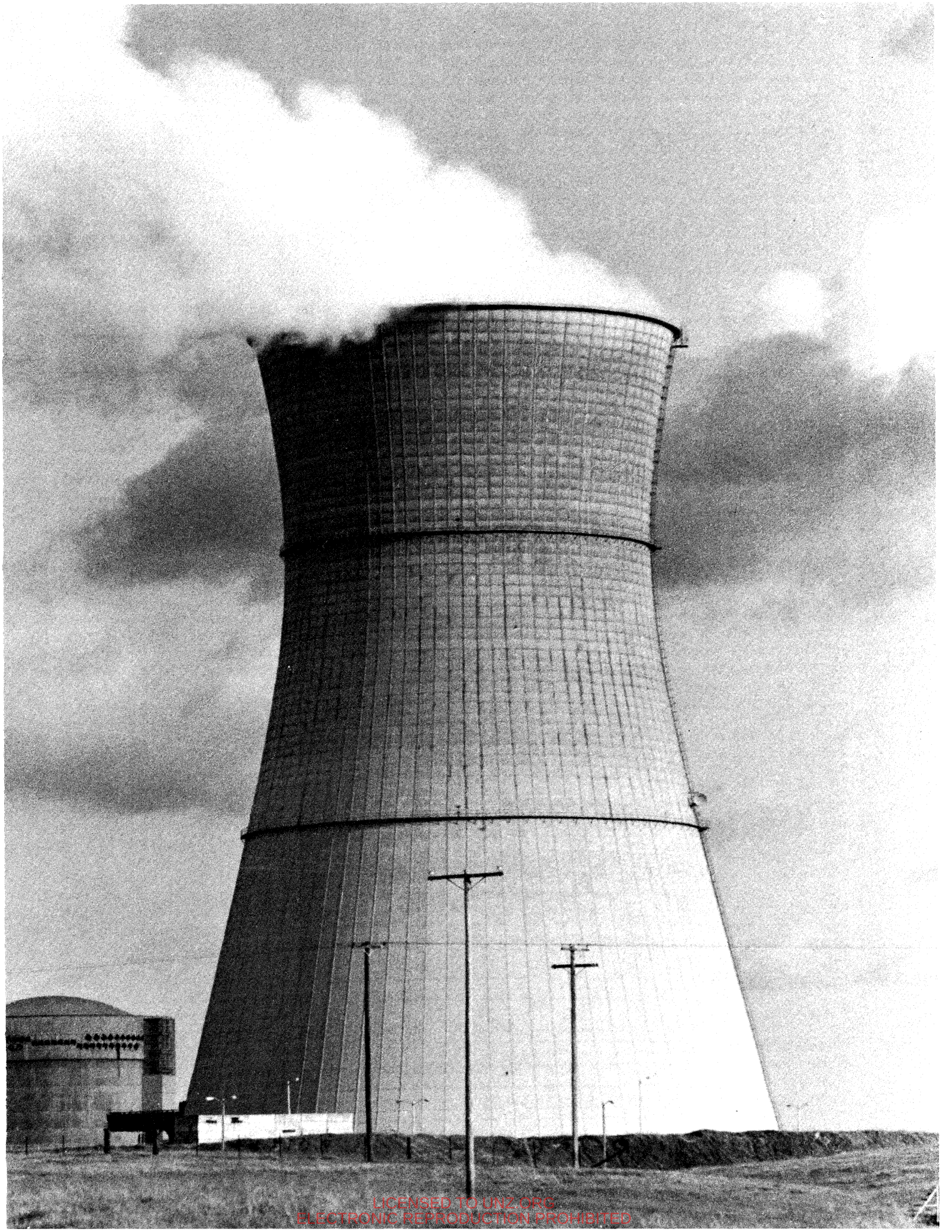

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anti-nuclear) to be honest with us about the difficulties and hazards of splitting atoms to generate electricity. As the *New York Times*'s Tom Wicker has recently pointed out, government mendacity about atomic energy has been a fact of American life for more than two decades. The government assured us that its 1953 atmospheric nuclear tests (and those which followed later in the '50s) were held within safe fallout limits. But according to a recent article in the *New England Journal of Medicine*, leukemia has occurred at more than two times the normal rate among persons who were under 15 and living in Utah in the path of fallout from the tests. Government documents newly released under the Freedom of Information Act reveal that more than 4000 sheep grazing downwind from the tests died during 1953 after absorbing up to 1000 times the maximum amount of radioactive iodine allowed for human beings (see the *New York Times*, February 15, 1979); the documents are mute on the matter of how much radiation was absorbed by the human beings who cared for the sheep. But more than 230 claims have been filed so far by cancer victims and their families in Utah, Arizona and Nevada with the Department of Energy, charging that those atmospheric tests caused cancer and deaths—a fact which speaks for itself. Other recently declassified documents reveal that President Eisenhower himself ordered a coverup of the truth regarding the tests: according to a report in the April 20 *San Francisco Chronicle*, Eisenhower instructed the Atomic Energy Commission in 1953 to keep the American people "confused" with its statements about the nuclear fallout to which they were being exposed.

The government assured us in the 1960s that the nuclear reactors then proliferating throughout the Eastern half of the country were perfectly safe from theft and terrorism, as were all the nuclear energy production procedures which came with the nuclear power industry. Yet a recent Freedom of Information suit has disclosed not only that 200 *tons* of uranium "disappeared" from our "theft-proof" nuclear program in 1968 (apparently to be diverted to Israel), but also that no changes were made in security arrangements after the incident took place. Even more recently, in the April 1979 issue of the *Atlantic Monthly*, *New York Times* reporter David Burnham has claimed that by the end of 1976, "taking into account all of the nuclear facilities in the United States, [an additional] 8000 pounds of highly enriched uranium and plutonium could not be accounted for—enough, in theory, to make hundreds of clandestine atomic weapons."

Our nuclear power industry executives have been telling us for ten years or more that if they were only allowed by law to recycle the wastes from nuclear power plants and extract the plutonium for use in breeder reactors, we would have a smaller, more manageable waste problem and even cheaper electricity and it would all be safe, perfectly safe. Yet the only attempt to date in the U.S. to reprocess spent nuclear fuel in this manner—the Nuclear Fuel Services plant in West Valley, New York—was forced to close after only six years of operation because it was unable either to operate at a profit or to control the spread of radioactivity throughout the West Valley area. According to the *New York Times*'s Richard Severo, "the plant's legacy [is] 600,000 gallons of liquid radioactive waste that will remain highly toxic for at least 100,000 years, and two million cubic feet of buried radioactive trash that will retain its toxicity for 1000 years."

Perhaps most important of all, both government and the nuclear power industry have been telling us that nothing serious could go wrong at a nuclear power plant, that the backup systems couldn't fail, that unanticipated problems couldn't come up. Yet something serious *did* go wrong at the nuclear power plant at Three Mile Island in Pennsylvania during the last week of March and the first week of April, the backup systems *did* fail (temporarily), and a problem *did* develop which nobody had ever even dreamed of before: the formation of a potentially explosive bubble of hydrogen gas between the plant's containment dome and its radioactive fuel. As Senate Majority Leader Robert Byrd puts it, "We've been assured time and time again by the industry and federal regulatory agencies that this was something that was impossible, that could not happen, but it did happen. There's going to be great difficulty on the part of the American people to feel absolutely reassured about nuclear power."

What happened on Three Mile Island

A nuclear power plant generates electricity by submerging an atomic reaction in water, thus heating the water and producing steam; the steam turns turbines which turn a generator. The atomic chain reaction takes place within a steel-reinforced concrete dome called the containment (because it is designed to withstand and contain both the incredible heat and the deadly radiation released by the splitting atoms of the nuclear fuel). The containment will only contain, however, if the temperature of the fuel is kept relatively low (around 600°F is considered a nice low temperature); and this requires that the nuclear fuel be covered at all times by water. Any part of it which became uncovered could heat up to 3000°F or higher and begin to melt. If the entire mass of radioactive fuel became uncovered and began to melt, it could, in principle, melt right through the reinforced concrete floor of the containment building and through whatever earth lay between it and ground water. When it hit ground water, it would send up deadly geysers of radioactive steam which would then be dispersed by the winds to contaminate crops and kill people and animals throughout an area which could be, given proper weather conditions, vast.

No one died at Three Mile Island, of course, and no crops were contaminated. But there was a partial meltdown of the fuel in the nuclear reactor, with the result that it will take months or years and millions upon millions of dollars to clean up the radioactive mess inside the containment dome, and it may be necessary to close the power plant—a multi-billion dollar investment—altogether, seal it shut, and bury it in concrete. In dollars and cents terms (though not, admittedly, in the more precious currency of human life) the Three Mile Island incident was the most disastrous nuclear accident so far in the relative brief history of nuclear power in the United States.

To the credit of the news organizations and individual reporters that covered the Three Mile Island incident, it was presented to the public, generally speaking, with fairness and restraint. There were, here and there, irresponsible banner headlines like the *New York Post*'s "NUKE LEAK GOES OUT OF CONTROL"; and there was, of course, some amount of mindless kowtowing to the "official" view of the story, as when, at the height of the crisis, the openly pro-nuclear *Manchester* (New Hampshire) *Union Leader* ran the headline "NO INJURIES REPORTED IN NUKE MISHAP", and when ABC television and radio decided never to use any adjectives which had not been used by

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"authorities" to describe the situation. But by and large, Three Mile Island was presented to the public as it was: as an unnerving series of mishaps which came uncomfortably close to becoming a full scale disaster.

"The China Syndrome"

It remained, then, for the distortion and misrepresentation ordinarily undertaken for the amusement of their audiences by the news media to be undertaken instead by the popular entertainment industry, specifically by the moviemakers of Hollywood. *The China Syndrome*, a slick thriller about an accident at a nuclear power plant, opened in theatres all over the country a matters of days before the accident happened at Three Mile Island. And word quickly got around that the film bore striking resemblance to real life—as, indeed, it does. The accident in the film is aggravated by a stuck guage which fools the plant operators into stopping the flow of cooling water into the enclosed space around the nuclear fuel; a nearly identical sequence of events unfolded at Three Mile Island. The utility officials in the film insist throughout the duration of the emergency that there is absolutely no danger to the public—just as the utility officials did at Three Mile Island. A plant engineer in the film discovers that certain of the plant's X-ray welding records have been falsified, presumably to hide serious defects. Early in April, the *Los Angeles Times* reported discovery of unspecified "irregularities . . . in X-ray inspection reports on 63 welds in the containment vessel at the Three Mile Island nuclear power plant's 'twin sister' reactor." The accident in the film is touched off by a failed pump in the nuclear plant's generating system—just like the accident at Three Mile Island. Most ominous of all, a nuclear critic in the film ventures the opinion that a full scale meltdown at a nuclear plant could "render an area the size of Pennsylvania permanently uninhabitable."

Such a string of coincidences can hardly help but make true anti-nuclear believers out of thousands—maybe even hundreds of thousands—of the film's viewers, especially given the high professionalism of the cast and crew. Jane Fonda, arguably the best English speaking film actress now working, is completely convincing as a "soft news" TV reporter who inadvertently stumbles onto the biggest nuke story of her (or anybody else's career)—as are Jack Lemmon as the dedicated nuclear engineer who discovers to his horror that the plant he loves really isn't safe, and Michael Douglas (the film's producer) as a hotheaded young cameraman who helps Jane uncover the awful truth. *The China Syndrome* was written under the watchful eye of three disillusioned nuclear engineers who quit General Electric in 1976, set up their own private nuclear consulting firm, and joined the anti-nuclear movement. The result of their input is the film's extremely high level of technical

LESLEE J. NEWMAN

The 15,000 demonstrators who crowded into the wide plaza outside San Francisco's Capitol-domed city hall April 7 knew they were no longer voices in the wilderness in their opposition to nuclear power.

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verisimilitude—which, as has been noted, can only assist all those mysterious coincidences in making a lot of new anti-nuclear converts.

That the film is designedly anti-nuclear is really too obvious for discussion, despite Jane Fonda's disingenuous (and widely quoted) statement that "the movie's intended as an attack on greed, not on nuclear energy. If I intended to attack nuclear energy, I would have made a documentary." *The China Syndrome* is, in fact, so patently a tract, a manifesto, a political allegory, that were it not for the consummate skill of its principals, both on and off screen, it would probably be offputting on that score alone.

Clearly, however, it is not offputting for most audiences. And the success it had already begun to enjoy in March has grown a thousandfold since the events at Three Mile Island. Within days of the first murmurs of trouble at the reactor site, the film had returned a 500% profit on its multi-million dollar cost, and the stock of Columbia Pictures had taken off on the New York Stock Exchange (while nuclear issues, predictably, were slumping). In a sense, all this was encouraging: as the events at Three Mile Island had mutely proved, the film's protrayal of the nuclear energy question was, by and large, an accurate one. It was inaccurate, however, with respect to one major issue, an issue which thousands of those now taking to the streets in anti-nuclear demonstrations also misunderstand—the issue of who is to blame. Who is it who has forced the hazards of nuclear power on an increasingly suspicious and hostile public? Jane Fonda and many of her supporters at rallies around the country answer that it is big businessmen—greedy capitalists—who are the culprits. In fact, they're wrong. It is not greedy capitalists but power hungry politicians who have led us to Three Mile Island, and who may, if we are not wary, lead us beyond that troubling pass to a future more grim than most of us have yet imagined.

The growth of atomic energy

It was a quarter-century ago, in 1954, that President Eisenhower signed the Atomic Energy Act and authorized the Atomic Energy Commission (which had been set up in 1946, shortly after the first atomic bomb fell on Japan) both to regulate *and to promote* the commercial use of nuclear power. And promote it the AEC did. First there were the generous government research grants which encouraged companies that might otherwise have been investigating the feasibility of shale oil or solar energy to investigate the feasibility of nuclear power instead.

Research occupied the infant nuclear industry for most of a decade, but by the early 1960s the power companies were ready to begin construction. To be more exact, they were ready to begin construction if they could get somebody else to foot the bill. Accommodatingly, governments passed laws enabling utility companies—government franchised monopolies—to charge their customers for the cost of constructing nuclear power plants. And construction began with a vengeance. In 1964, no one had ordered a nuclear power plant. Two years later, nuclear plants accounted for nearly half of the new generating capacity ordered by U.S. utility companies. By 1968, voluminous, highly technical construction permit applications for nuclear power reactors were pouring into the offices of the Atomic Energy Commission at the rate of 25 per year. And by 1975, 54 of the reactors were in operation, supplying electricity to major metropolitan areas like New York and Chicago.

Having financed the research to develop the nuclear technology, having made construction of nuclear plants economically feasible by forcing taxpayers to cough up the money (and by perpetrating an insurance fraud known as the Price-Anderson Act, but more of that in a moment), the government proceeded to give the new nuclear utilities another helping hand by tackling their waste problem for them. Nuclear reactors produce radioactive wastes which are dangerous to handle and expensive to safely dispose of. In October of 1977, President Carter announced that the federal government would accept and take title to all spent nuclear fuel produced thus far by the power plants it had willed into being, and store that spent fuel in government owned and operated storage sites. The government is charging the utilities for this service, of course, but the charge is less than the actual cost. The difference is being picked up by the taxpayer. And the new federal budget contains a 38 percent increase in waste disposal funds.

The reason for all this government assistance of the nuclear power industry is quite simple: without it there is no money to be made out of atomic energy; without it the nuclear power plants which now dot the American landscape like poisonous mushrooms would be unbuildable, uninsurable and unprofitable. Martin Brown, the former West Coast coordinator of the Center for Science in the Public Interest, has recently described the situation which would confront a businessman interested in building a nuclear power plant without government assistance:

> Some 90 percent of the electric generating costs of a nuclear plant are accounted for in the construction of the plant itself. Conventional power plant construction costs only 50 to 60 percent of the electric generating cost. As a results . . . nuclear power plants mean long-term bank financing—enormous loans that must be paid off whether or not the plant ever generates electricity and profit.
>
> This "front end loading" of the cost of nuclear power, compared to conventional power, means that nuclear plants are normally much less flexible in their operating schedule. Any shutdown, even a short-term one for inspection or repairs, is costly because the lost production value counts mainly against the cost of the plant construction. The monthly or quarterly bank payments become due whether the plant is operating or not.
>
> The same is true, of course, for conventional power plants, but less so. When a conventional power plant is temporarily shut down, the value of the lost production is largely counted against fuel that isn't burned. A much smaller portion of the loss counts against the plant construction cost.

And this situation, unfavorable as it already is for the would-be operator of a nuclear plant, is only becoming more unfavorable. A recent study by National Economic Research Associates indicates that nuclear power plant construction costs are rising at 15 percent annually. They now average a little more than $400 per kilowatt of generated power, and they're expected to be closer to $1000 per kilowatt by 1985.

But construction costs, awesome as they are, aren't the only costs the would-be investor would have to face were it not for the government. There's also the cost of insurance. Current estimates are that the cost of a full scale meltdown at a nuclear power plant could exceed $17-*billion* in property damage alone, with around 27,000 deaths and 73,000 injuries. Needless to say, insurance companies aren't interested in assuming such a risk. But government has given the nuclear power industry the Price-Anderson Act, which limits the accident liability of nuclear utilities to $560-*million* and funds a healthy portion of the resulting skimpy insurance policies with taxpayer money.

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Even if the mushrooming construction costs or the impossibility of arranging adequate insurance weren't enough in themselves to make nuclear power impractical, there'd still be the problem of waste disposal. It is worth remembering that the owners of the nuclear industry's one attempt to recycle its waste (the aforementioned experiment in West Valley, New York) were relieved of any liability for the effects of their operations, by special contract with the state of New York.

The fact is that the cost and risks of nuclear energy are too high for it to be a profitable business. Ask the manufacturers of the plants. According to *Inquiry* magazine, General Electric has lost $600-million building 13 commercial reactors; Westinghouse, the industry giant, stands to lose as much as $2-billion; Babcock and Wilcox (of Three Mile Island fame) has lost nearly $200-million; Combustion Engineering figures to lose $150-million; and Atomic General saw the writing on the wall and quit the business four years ago. And all this is *with* the government subsidies and grants and tax breaks and special privileges. The utilities, it's true, do make money, but only because they're guaranteed a fixed percentage of profit over and above their costs. If their costs go up, as they have year after year since they allowed government to lead them down the garden path to the nuclear reactor, they just get government to approve another increase in their rates, and let their customers either pay or burn wood in their fireplaces as an alternative. There are now people in the United States who get the electricity in their homes from nuclear power plants and who pay more for it (not counting the subsidies built into their taxes) than those whose current is generated by oil or natural gas. And this is the technology which we were once told (by government, of course) would produce electricity so cheaply it wouldn't even have to be metered. Significantly, Metropolitan Edison of Reading, Pennsylvania, which owns the crippled Three Mile Island reactor, says it will be forced into bankruptcy unless it is allowed by government to pass the cost of the March 28 accident on to its customers.

Government's concern for safety

To repeat, it is government, not business, which has forced this boondoggle upon us. And, perversely, it is also government which has worked to make sure the nuclear industry we have is about as dangerous as it could possibly be. The old Atomic Energy Commission, which had (absurdly) been charged with promoting *and* regulating nuclear power plants, never allowed its duty to regulate to get in the way of its duty to promote. As *Inquiry* magazine has recently pointed out, "evidence is surfacing that the Atomic Energy Commission neglected potential hazards pointed out by its own safety researchers." The Commission also saw to it that research grants were limited to a single nuclear technology—the light-water reactor—while ignoring evidence that the heavy-water reactor subsequently developed in Canada and the gas graphite reactors now in use in Europe might have posed fewer safety hazards. (See *Light Water: How the Nuclear Dream Dissolved*, by Irvin C. Bupp and Jean-Claude Derian, Basic Books, 1978).

But even before the evidence of this malfeasance began to crop up, the obvious conflict of interest built into the Commission's design promoted Congress to create a separate agency to handle regulation. In 1974 President Ford signed the bill creating that new agency, the Nuclear Regulatory Commission, Today, ostensibly, the AEC promotes, and the NRC regulates. But, from the beginning, the government has put more money into the AEC than into the NRC, more money into promotion, that is, than into regulation. And there are those who feel the NRC is no more a genuine stickler for safety than the old AEC used to be. When it does close nuclear plants for reasons of safety, it often focuses its attention on plants which would seem to be among the safer, rather than the more dangerous, of their kind. Early in March, for example, before the events at Three Mile Island, the NRC closed five nuclear plants on the East Coast because of fears over their ability to safely withstand earthquakes. The *New York Times* commented

COLUMBIA PICTURES

Director-writer James Bridges (left) confers with producer-actor Michael Douglas on the set of *The China Syndrome*, the anti-nuclear thriller which is helping to mold American opinion on the issue of atomic energy.

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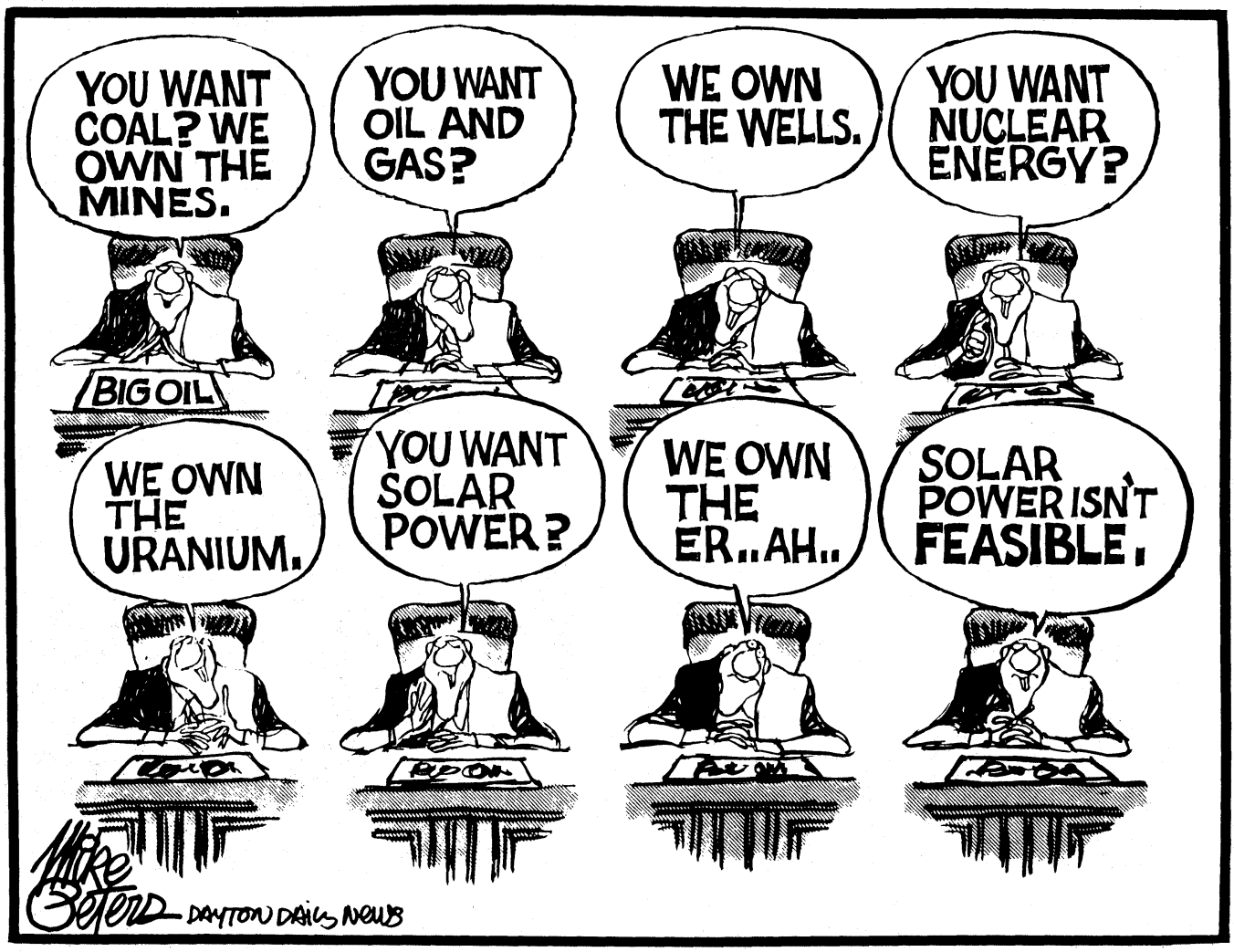
bemusedly that "the East Coast of the United States is not in a known earthquake zone." Senator J. Bennett Johnston of Louisiana was more direct; he called the shutdown order "absolutely asinine." But Daniel Ford of the aggressively anti-nuclear Union of Concerned Scientists sees it as typical of the nuclear watchdog agency. "The public sees the NRC like a technological FBI," he says, "ferreting out safety defects. In fact, it's just another Federal bureaucracy."

Opponents of nuclear power are often characterized as former anti-war activitists whose lives have ceased to have meaning now that we've disengaged ourselves from Southeast Asia and who are now in search of a new cause; or as 20th century Luddites who oppose all new technology on principle. The reality is far different, however. A significant number of the new anti-nuclear opposition is made up of Americans who simply wish to live in a clear, healthful environment, and who don't understand why such an alternative as solar power, which seems clear, healthful, and abundant in supply, isn't developed instead of nuclear energy. According to a Harris poll taken in early February—*before* the frightening events at Three Mile Island—*94 percent* of Americans favor accelerated solar development. And the only rationale they are given by their government and their power company executives and their media people for *not* developing solar technology is that solar technology is not competitive economically with nuclear power or even fossil fuels. Yet, as we have seen, nuclear power is economically competitive, if at all, only because of government subsidies. If they were removed, the nuclear industries' competitive advantage over solar power would be removed simultaneously. Much the same can be said for fossil fuels—and has been by Daniel Yergin of Harvard, who claims that simply lifting federal controls from oil prices will "enable energy alternatives such as conservation and solar power to compete fairly and in a timely way with oil." (*Los Angeles Times*, April 15, 1979.)

Many of the new anti-nuclear opponents wish merely to live in a clean and healthful environment, and a constantly growing number of them are beginning to realize that they can only do so by working to get government out of the energy business. These opponents of the atomic power industry have studied the record and realized that it is government tampering and government bungling which have brought us to our present state of energy crisis, and that the elimination of government—the creation of a free market in energy—would mean the elimination of the unacceptable risks of nuclear power. Nuclear apologist Samuel McCracken of Boston University, who has defended atomic energy in the pages of such journals as *Commentary* and the *National Review*, has recognized this strain in the opposition to nuclear power, but seems to believe its advocates are guilty of inconsistent thinking. The argument against nuclear power is sometimes based, he writes, "on the implied assumption that the government ought never to subsidize the development of a new technology . . . . [But] those who make this charge have not been heard to object [for example] to the government subsidy of mass transport through Amtrak and the Urban Mass Transit Administration."

Better listen again, Professor McCracken. ❑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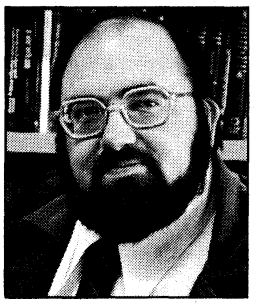
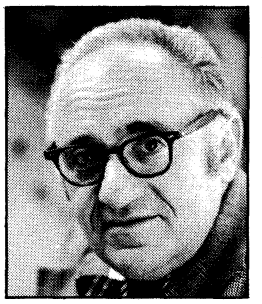
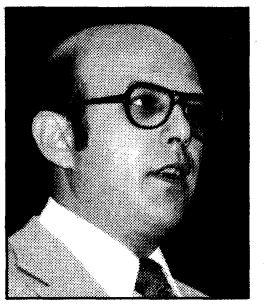
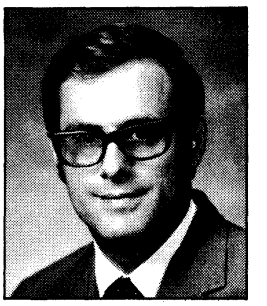

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The Reincarnation Of

Jerry Brown

TOM HAZLETT

If California, the home of Proposition 13 and the cradle of the celebrated Taxpayers Revolt, is to be the host of a Great Republican Resurrection, the services of the Holy Ghost and the 12 apostles will once again be needed. In one of the most astounding collapses since the 1978 Dodgers walloped the Yankees two straight before lying down for four in a row, the California G.O.P. let Public Enemy Number One, a Jarvis-hater by the name of Jerry Brown, win the race for governor by 1.3-million votes.

This no-nonsense collapsing was most ably handled by Attorney General Evelle Younger, a man who won the G.O.P. gubernatorial contest last year by successfully saying the least and spending the most. Now, out of office, it is not at all unlikely that Mr. Younger will be asked to join the cast of TV's "Saturday Night Live," which would make him available to play leading parts in all "Nurd" sketches without benefit of make-up or rehearsal.

It wasn't always so. In the beginning, before God (aka Mervin Field) created a "born again tax-cutter" in the image of Governor Brown, Younger had all the biorhythms of the political universe pushing him. After the June 1978 primary, the respective candidates were dead even in the pollsters prognostications, an exceedingly weak position for any incumbent; and, more importantly the Proposition 13 tidal wave was breaking right on top of poor Governor Brown's little paddle-board. Younger had mildly endorsed 13; Brown had fought it viciously.

But only days before the June 6 election, the crafty Brown pulled out of the wave, quit his campaigning as the leading critic of Jarvis-Gann, and returned to Sacramento to "make Proposition 13 work." Ed Davis, Younger's 2nd place challenger in the Republican primary, caustically quipped at the time, "In a week he'll have everyone thinking he wrote the damn thing." Davis underestimated.

In a flash, "Small (economy) is Beautiful" became "Small (government) is Beautiful." With the vindictiveness of a reformed taxaholic, Brown slashed the "wasteful" extravagances that his Administration had instituted, and denounced the "obstructionist" officials he had appointed.

The transformation in rhetoric was sensational. It was as if Bella Abzug were to appear on television commercials for Chanel No. 5. As the *L.A. Times* detailed the post Prop 13 miracle:

> Brown resurrected his "era of limits" rhetoric and—while GOP gubernatorial nomineee Evelle J. Younger was vacationing in Hawaii—seized a rare opportunity. Using a huge state tax surplus he had stockpiled, Brown went all-out to implement Proposition 13 without either raising state taxes or forcing a reduction in vital local services.
>
> Brown then made spending and taxes—traditional Republican issues—his No. 1 campaign issues. Other Democratic candidates, responding to the voters' loud Proposition 13 message, also began talking and acting like Republicans. And confused Republicans seemed to suffer an identity crisis.

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This is not the first time in history that a scheme as cynical as this has been put over on the electorate; we musn't forget that a man who smiled like Jimmy Carter was elected president of the Republic during the very height of America's Era of Disillusionment. But the California Republicans had Prop 13 working for them—which is to say, quite simply, that they had the greatest mass issue in state history.

Opposed by the AFL-CIO, the Chamber of Commerce, Bank of America, the Democratic Party, 90% of the state's politicians *and* Jerry Brown, Jarvis-Gann passed by a two-thirds landslide. The incumbent governor, the ace fighter against the people's choice (which he had dubbed a "rip-off" and a "consumer fraud"), was a sitting duck, with spotlights and without wings.

All persons viewing the California political jungle poised themselves for quite a show, ready for some real hot stuff. What timing would Younger employ to blast the distortions, threats, and blatant lies which had been the primary source of argument of the Jerry Brown forces in attacking Prop 13? How would the G.O.P. garner headlines in denouncing the ignominious manner in which Brown's Finance Director had reported the state's $7-billion tax surplus as only a $3-billion surplus? How would Younger take maximum political advantage from the use of public funds, by numerous government agencies and by the governor's office itself, to defeat a political measure?

We're still waiting. Not poised, but slumping.

While the state of California wrote Evelle Younger's victory script and offered him a chauffeur driven limousine to take him to the governor's mansion, he was lying down on a tropical surfing beach somewhere, undergoing an identity crisis. It truly must have been some bizarre form of mind control the mystical Brown picked up from some Far Eastern cult and used on his Republican opponent. We must conclude that Jerry Brown was playing politics the same way the Russians play chess.

It developed that if you had turned the Younger campaign upside down and shaken it you wouldn't have found three eager volunteers who had joined up on account of Proposition 13. Beyond Younger's incompetence and Jerry Brown's connections with the supernatural, the fundamental liability in the Republican cause was its overwhelming, pervasive, all-intensive inferiority complex.

Old-time Republicans like Younger have been "number two" for so long that they have given up trying harder and will now settle for looking a little more like "number one." Amongst GOP politicians, in fact, it is the adolescents (like Jack Kemp and Jeff Bell) and the converts (Ronald Reagan and Ed Davis) whom we see manning the tax-cut bull-horns. Career Republicans have long since ceased to take their platform seriously, and are deeply suspicious of any who do. They have been thoroughly Nixonized.

Jerry Brown, untroubled by a guilty conscience (or any other), takes the GOP platform extremely seriously. "I want to be able to say," he says, "I've slowed the historical rate of state government's growth in California . . . I'm going to try to do something Ronald Reagan couldn't accomplish."

Now the idea is being advanced that this blurring of party affiliations is a good thing, in that voters will now concentrate more on "the man" and less on "the label." Dismayed Republicans might inquire why it *was* good to have strong party labels when the Democratic platform was winning elections for the past 45 years, and good *not* to have 'em when the G.O.P. platform is winning elections today? Jerry Brown can answer that very simply: He's a Democrat, and he represents a Party without the intellectual honesty to relinquish its throne while its competitors lack the intelligence or cunning to acquire it.

The Younger campaign

If Evelle Younger did not raise the Proposition 13 argument in his defense, what vital issues did he invoke to crush the panicked and vulnerable incumbent? His chief recommendation, in his own song, was nothing even tangential to the political questions of concern, but a sociological gimmick—Evelle was constantly bringing up the subject of "life-styles." In each and every interview the press endured with him he was lightning-fast to chip in the observation that his opponent was a bachelor, and, while he wasn't saying there was anything immoral about being a bachelor, it was just a lot different than having family responsibilities like your average American Attorney General like Ev Younger. This thought might have been overlooked as mere jealousy on the part of the Republican candidate, had he not insisted on interjecting this incredible comparison over and above any political issue—including the omnipresent Prop 13. But there he was, doggedly pointing out that while he had noisy children, two house mortgages and a middle-aged wife, his opponent was simply young, single, and dating Linda Ronstadt. It is likely that Mark Lane could construct a plausible conspiracy theory involving Mr. Younger, his breakfast milque toast, hallucinogens and Brown campaign operatives.

Let us move over to the winners' circle, and inspect the cosmic effects of the elusive Mr. Brown, Jr. What should we expect from the triumphant Governor? More triumphs, certainly. But that is about as specific as we may get. To wit, a campaign interview with *Los Angeles Times* reporter Robert Scheer:

Scheer: Do you feel that liberalism is an old-fashioned position, and do you want to disassociate yourself from it?
Brown: Well, my position is rather extensively delineated through this campaign and over the last four years, and I don't feel the requirement to hew to some ideological line. I see in the coincidence of opposites and the blending of a certain amount of contradiction a more limited ideological thrust.
Scheer: Are you trying to have it both ways, though? When you went campaigning in Maryland against Carter, you identified yourself with the liberal Democratic tradition of Hubert Humphrey, of the Kennedys and so forth. . . .
Brown: I'm trying to carve out a new path with the Democratic Party and its outlines are not totally clear yet.
Scheer: Well, then, do you think it is fair for you to wear the mantle of the liberals when you are among the liberals, and yet that's not really your position? Why don't you just come out and say that?
Brown: Because I haven't gotten the right adjective to characterize my position yet. . . .

"Obfuscation" might be just the word he's hunting for. It is somehow ironic that the Voice of the People has now been heard, a mighty tax-cutting reform has shaken the structure of government, and we emerge with a politico who says nothing—with great authority. This, incidentally, is the largest asset in the political portfolio of Jerry Brown, that in an age of cynicism His Honor can electrify a radio microphone with caustic condemnations of political squishies and bureaucratic boners, and then glide away in his used Plymouth without ever leaving a trace of a decipherable position on any issue of controversy. He has a knack for pouring out the grayest platitudes in the brightest, most revolutionary tone. His nimble statements feel very good to the ears, and strike the heart as tough, no-nonsense posi-

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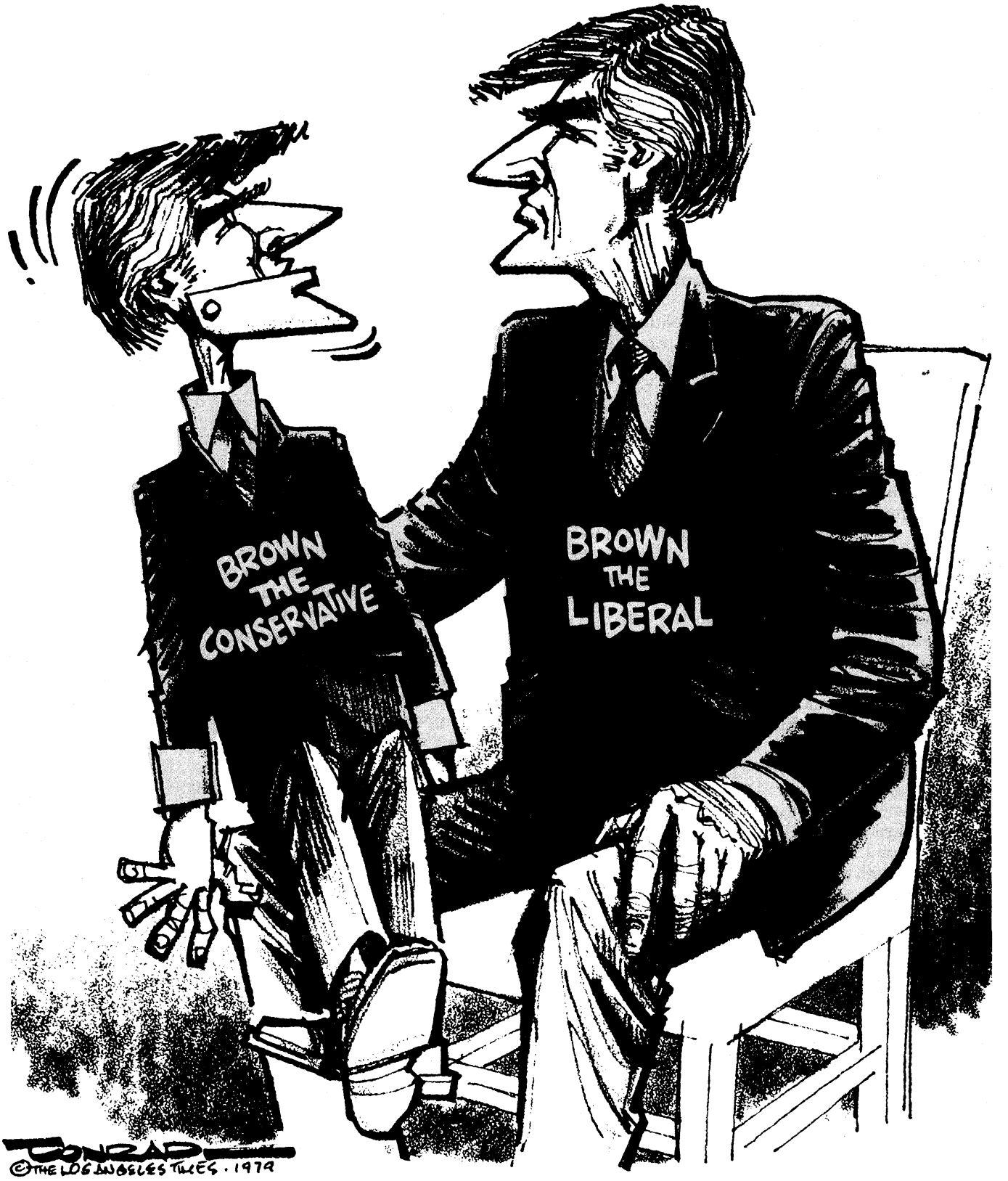

"I SAW YOUR LIPS MOVING...!"

tions. But just try to mull the script over in search of a dangerous stand.

Brown's ideology is ubiquitous: he darts from UAW meetings to Sierra Club rallies to T.V. commercials with, yep, Howard Jarvis. Only that legendary guru of political iconoclasm H. L. Mencken could really get a bead on this peculiar mind-set, as he did so artfully in undressing the campagn strategy of Harry S. Truman in the famous joust of 1948:

> Unhampered by anything resembling a coherent body of ideas, he was ready to believe up to the extreme limits of human credulity. If he did not come out for spiritualism, chiropractic, psychotherapy and extra sensory perception it was only because no one demanded that he do so. If there had been any formidable body of cannibals in

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the country he would have promised to provide them with free missionaries fattened at the taxpayer's expense.

Combine Jerry's agility with Brown's authoritative bellowing and you have Jerry Brown: The Consumate Welfare State politician. So skillfully has he perfected his craft that he no longer must lie in waiting for political opportunities to arise—he creates his own. So it was during the late gubernatorial campaign when the California Coastal Commission made headlines by commanding dozens of Malibu residents to file for permission to rebuild their own homes which had just been destroyed in a disastrous fire. Gaining "permission", naturally, required compliance with encyclopedic regulations *and* the construction of fifteen foot-wide walkways right through each beachfront property to allow "public access" for "the people." A furor arose in Malibu which, significantly, involved many movie stars and rock idols who had been nailed by the Coastal Commission. Governor Brown pounced at once, popping onto front pages around the state by cursing the Commissioners as "bureaucratic thugs." Indeed! Appointed by Brown, as part of an agency created by Brown, enforcing laws drafted by Brown, these "thugs" were of the governor, by the governor and for the governor. Evelle forgot all of this and was simply heard murmuring soft endorsements of the Guv, whose newspaper copy confirmed that today's political campaigns really can be Do-It-Yourself affairs. From problem to solution, Jerry Brown does it all! At long last, self-respectability has returned to American politics.

The presidency beckons

And so we come full circle. Brown, having avoided a drowning, has maneuvered so deceptively and brilliantly as to actually be riding the very same wave today. The *Times*, on the very day following the November elections, commented that "virtually everything the California governor does in his second term will be pointed toward another presidential contest. . . . The lure of 1980 for Brown is that by then he may be riding the crest of a nationwide ["rip-off"] tax revolt against high taxes and government spending."

But the *Times* noted that the charismatic young governor is not home free: "One important Brown aide said that if he had anything to do with it, voters would not become disenchanted with Proposition 13 for at least two years—when the next presidential election is held."

Brown's aide worries much too much, and underestimates his boss. The Artful Dodger has, since burying the Attorney General-next-door, turned his sights on Mr. Big, Jimmy E. Carter, a man more conversant in the politics of posturing. Brown's headlining call for a constitutional convention was a Nobel Prize Winner that will be dissected in vote-stealing seminars centuries hence.

Firstly, it gave young Jerry visibility. One sees his mug nowadays as redundantly as John Travolta's—and Brown can't even dance. Secondly, it made everyone whisper about the Governor running for the White House, and those low tones can raise loud bucks. Thirdly, Senior Shrewd knows that the constitutional convention idea doesn't have the chance of an honest man in the U.S. Congress (or a snowball in Hell, if you prefer) within his own party. He thusly dramatizes himself as the "outside" candidate on the inside track.

To wit: the front-page performance fortissimo tax-axer Jerry staged when the busy Mr. President mistakenly condemned Brown's cry for the convention as "extremely dangerous." Jerry swung into his anti-rhetoric rhetoric: "People are just talking before they analyze the concept. Some of that reminds me of the scare tactics and the rhetoric that I heard during the Proposition 13 campaign. It sounds like a replay." And, whilst the fascinated press corps swooned for the Governor's modest pause, he completed the circle: "And I should know because I used some of the language myself."

If "know thy opposition" is truly the key to victory, Jerry will prove invulnerable. And do not be fooled by his tax-cutting defeats in the California legislature or his cold greetings at Democratic Party operations. While actually having to cut some taxes has so far proved a nuisance that the Governor has occasionally been unable to avoid, the show must go on. And big defeats—one man versus the government type defeats—haul down the Nielsens. Proposition 13 informed Junior Brown just where the votes lay, and once he has the ballots in his pocket the sycophants and losers who populate the halls at Democratic establishment functions will be panicked to jump in with them—and damned thankful for the chance to be forgiven. The "new politics" is a game of out man in, and racking up a few healthy rebukes at the hands of the old political establishment will give Jerry his own perceptible wish: the chance to personally become the next old political establishment. ❑

"The Democratic Party is ready for a new historic mission: And that is to control inflation and government spending."

—Jerry Brown
November 5, 1978

"Any Democrat who adopts the Republican platform can't lose."

—William F. Buckley, Jr.
November 6, 1978

"BROWN WINS HANDILY"

—LA Times Headline
November 8, 1978

Tom Hazlett is completing his Ph.D. in economics at UCLA. His articles have appeared in a number of magazines, including *National Review* and *Inquiry*.

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Psychiatry In Retreat: The Medical Beast Exposes Its Vitals

PETER R. BREGGIN, M.D.

"Psychiatry's Depression" read the banner headline on the cover of the April 2nd *Time*. Inside the magazine, the story itself was headlined with lackluster irony: "Psychiatry on the couch—To shake the blues, Freud's disciples seek new directions." What new direction? Psychiatry, for three hundred years the champion of the medical view of mankind, will become *more medical*, leave the garden variety of human complaints to bio-feedback, est, re-birthing and Transcendental Meditation, and focus its energy on so-called medical problems, on the seriously "mentally ill."

Time, for its part, is overcome with its own ambivalence. It freely admits that over-burdened psychiatrists "often dream of any easy way out: the miracle cure, a cheap drug or chemical for every mental illness," even though "so far there has been no clear breakthrough." *Time* also acknowledges that the major tranquilizers used in mental hospitals "act as chemical restraints: they calm the schizophrenic but often turn him into little more than a zombie in the process." The claim that these drugs have emptied the mental hospitals is also undone by reports that these same patients now languish "uncured" in other institutions or in urban slums, often returning in a revolving door process to the state mental hospitals. But, having shredded its own argument, *Time* still sees the drugs as psychiatry's only hope to lift itself from depression: "At the very least, the drugs may give psychiatry the bold new tools that will enable it to shake off its own current depression and fulfill the high hopes that Freud and his followers correctly held out for it."

The story is more ironic than the *Time* editors intended. Remember that depression is a mental illness. To cure its illness, will psychiatry *take* drugs? No, this is the kind of illness that is cured by *giving* drugs. Thomas Szasz's myth of mental illness is here displayed in its full splendor. Human problems must be declared biological and medical in their origin and cure, for without this medical mythology, psychiatry has little or no justification for its existence and will remain in the doldrums. The giving of medicine is not to cure the patient but to justify psychiatry's identity—its prestige, power and income, all of which are on the decline.

I recently gave a speech to the psychiatric staff of a large New York mental hospital, and one angry physician stood up to declare that "If what you say about the drugs is true—that they do nothing but disable the mind—then I would have to give up twenty-five years of knowing who I am." Later another equally hostile psychiatrist challenged me: "Why would thousands of psychiatrists want to hide what you call the truth about the drugs?" I had only to remind him of the earlier psychiatrist's contention that the de-mystification of psychopharmacology would ruin his lifetime identity. Undoubtedly, it would also ruin his status in the community and his income.

Time is right that psychiatry is in trouble. In its anguish it

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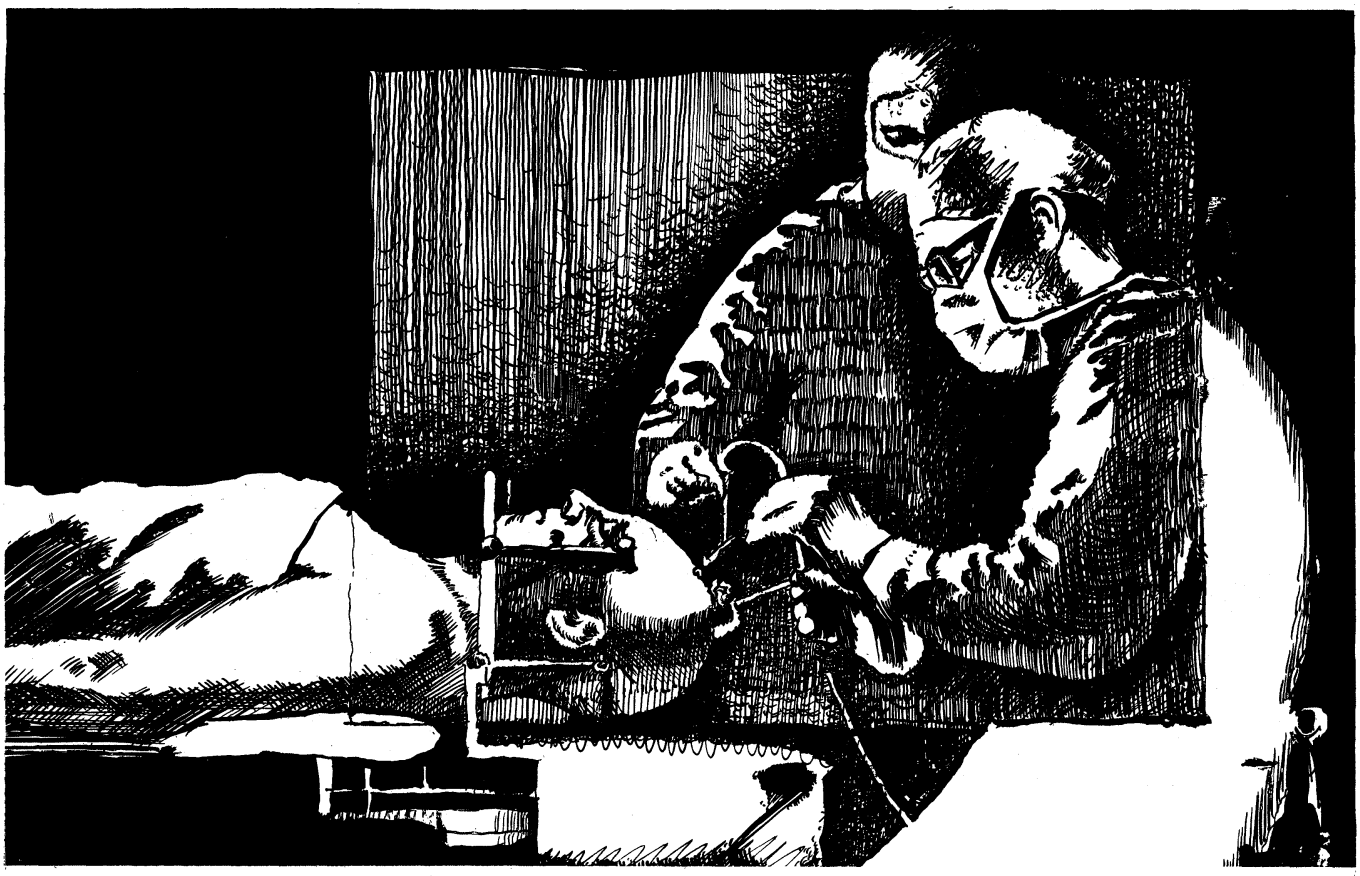

is returning to the womb of medical authority. Yet its medical origins and medical mentality are precisely the cause of its malaise. Psychiatry embraces its own illness, and may hasten its own demise far more rapidly than any of its critics had hoped.

What is going on that psychiatry has reached an end-stage requiring a *Time* cover story to announce in one mighty breath both its mental illness and its hoped-for drug cure? The assault on psychiatry has been more a guerrilla action than a war between contending authorities, with many disparate bands entering the fray. From within psychiatry itself, the most thunderous attack was launched in 1961 with the publication of Thomas Szasz's *The Myth of Mental Illness*. Szasz struck at the twinchambered heart of the beast—involuntary treatment and its justification through the myth of mental illness. A decade later, again striking from within the profession, I published *The Crazy from the Sane*, and when this novel hardly sounded an audible "pop!", I began a more direct professional and public assault on psychiatric technology, including psychosurgery, electroshock and the tranquilizing drugs used to subdue mental hospital inmates. As Szasz struck at the beast's heart, I proceeded to pull its fangs and claws. Both the ideology and the technology of psychiatry found itself under assault by professionals for the first time in the history of the field.

Organizations of former mental patients, and individual ex-inmates like Leonard Frank have begun to challenge psychiatry as their oppressor rather than their benefactor. Public interest legal groups have begun to chip away at the immunity which has protected psychiatry in its disregard for the well-being and civil liberties of those who come under its power. Within recent years, even state legislatures have got into the act, demanding that psychiatry adhere to prescribed procedures of informed consent, especially in the administration of its most obviously damaging therapeutics, such as psychosurgery and electroshock.

Depressed by the free market

It would be gratifying to imagine that the latest agonized cries from the body of psychiatry and its *Time*ly supporters were induced by yet another pre-meditated strike by those of us most directly involved in critizing psychiatry. But something much more fundamental is actually taking place. Psychiatry is being destroyed by the *free market*.

How is this possible in a nation in which medical care is provided through state monopoly in the form of licensure, regulation and subsidy? The answer is provided in part by *Time* itself:

> Each day millions of Americans talk, scream, confront, jump, paint, dance, strip, tickle and grope their way toward emotional fulfillment. They are sampling one or more of the 200 or so therapies and countless pseudo therapies that are now being peddled in the U.S. as panaceas for unhappiness, anxiety or worse. At one end of this therapeutic spectrum are such exuberant exercises in self-help as biofeedback and Transcendental Meditation; at the other end, close-order drill for the psyche, like est. All but trampled by this stampede toward satisfaction lies the battered body of the medical speciality that once held the exclusive franchise for curing all maladies of the mind. Obviously it no longer does—one reason why psychiatry itself is now on the couch.

Time's lament over psychiatry speaks of Freud's disciples abandoning the couch, but as the article itself observes, Fruedian psychoanalysis has never reflected the true nature of psychiatry. Of the nearly 30,000 psychiatrists in the United States today, fewer than 10 percent call themselves psychoanalysts. An American Psychoanalytic Association survey in 1976 disclosed that those who called themselves analysts actually treated fewer than five patients a week on the couch, a very low figure considering the tendency to see patients for much less time than the traditional five hours per week. If one considers the millions of patients treated by

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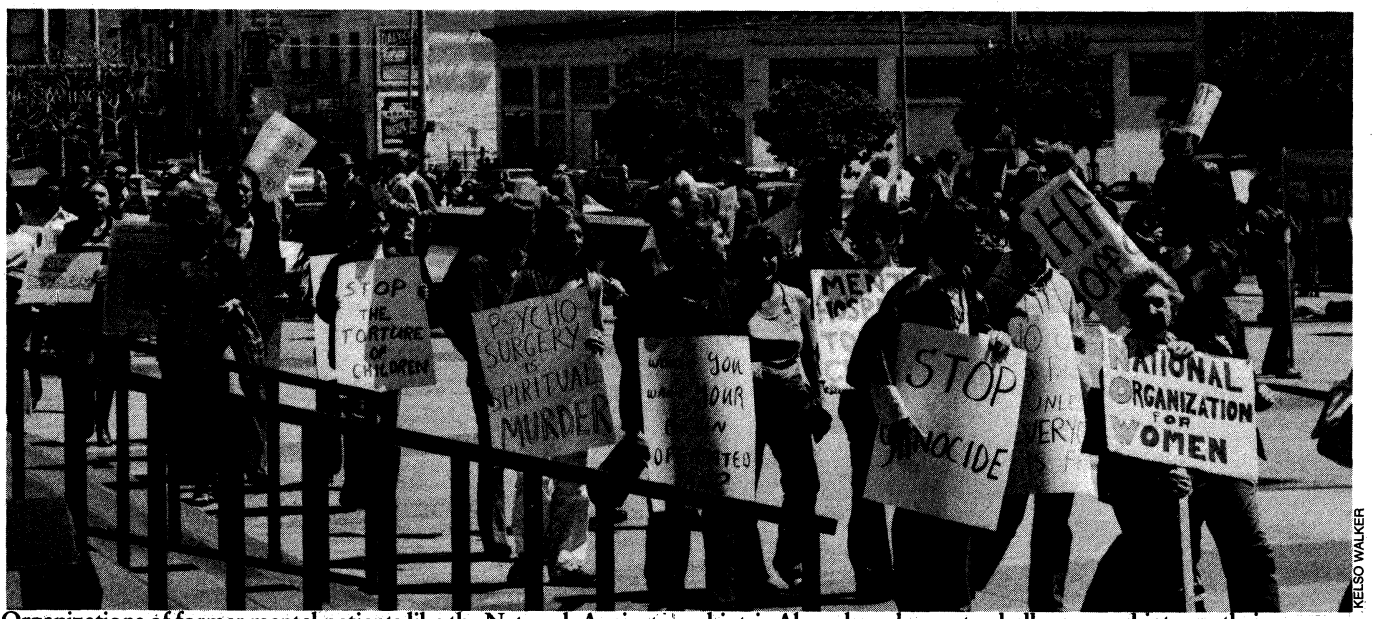

KELSO WALKER

Organizations of former mental patients like the Network Against Psychiatric Abuse have begun to challenge psychiatry as their oppressor rather than their benefactor.

psychiatrists each year in hospitals, clinics and private offices, psychoanalytic patients reflect less than *one percent* of the total patients treated.

Many more patients are given electroshock each year than are given psychoanalysis, and still more are hospitalized in state and private hospitals where they are subdued with massive doses of mind-disabling and neurologically damaging tranquilizers. Even in routine psychiatric practice in surburban offices, far more patients are given occasional supportive interviews, group thearapy and drugs. In the public mind, and in the experience of a small group of intellectuals, psychoanalysis is psychiatry; in reality, psychiatry is a hodge-podge of institutions and practices, typically characterized by coercive hospital confinement and oppressive techniques and technologies. *Time* supports a time-honored ruse in identifying psychiatry with "the couch" when it it far more accurately identified with the dungeon and the drug.

Time is correct, however, in observing that psychiatry has enjoyed an "exclusive franchise" over personal unhappiness, and that this monopolistic lock upon the public is now being broken. There is still a sufficient free market in this country for individuals to abandon the medical monopoly over psychological services and to seek out alternative approaches more to their liking and more easy on their pockets. But the psychiatric monopoly has the backing of the state, and it is busily attempting to regroup.

Psychiatry has so much state support that it has been aptly dubbed America's state religion. The most obvious form of support is the mandate from the state empowering the psychiatrist to treat patients against their will. In terms of the free market, this is a monopoly indeed. Not only does the provider control the production and distribution of the service, the provider can *make* the consumer accept his services. On many occasions, patients are simply held against their will in private hospitals until their money or their insurance coverage runs out. But this financial advantage is but one of the many advantages accrued to psychiatry by involuntary treatment. The threat of involuntary treatment effectively controls hundreds of thousands of patients, and power to exercise commitment lends power and prestige to the profession and to individual practitioners. Similarly, the psychiatrist's monopolistic influence is enhanced by his state-sanctioned role as legal expert in the courtroom, and his authority to make determinations of competency to stand trial, and competency to own and control property.

The psychiatrist and psychiatry also benefit immensely from state support of the medical monopoly. Psychiatrists are licensed in individual states as practitioners of medicine, effectively establishing them at the top of the hierarchy of providers of psychological services. This status is reflected, for example, in the willingness of private insurers to pay psychiatrists a higher hourly fee than other providers of psychological services, and at times to make psychiatric supervision a requirement before non-medical providers can receive insurance payments for their services. Beyond this, psychiatry has benefited from such support of organized medicine as federal recognition of officially licensed medical schools as the only legitimate recipients of federal largesse.

There is also an enormous amount of direct state support for psychiatric activities and psychiatric salaries. Huge state and federal investments in the state hospital system and the community mental health center network provide jobs and other emoluments for psychiatrists, and the majority of individual practitioners has some connection with these institutions. For a period of time, the federal government actually paid the training stipend for psychiatrists, in part by bringing about the present glut on the market. The Department of Health, Education and Welfare, as well as other federal agencies, provides research funds which support the salaries of many psychiatrists, and vastly add to their influence and prestige.

Indirect state support has also come through the personal influence of leaders such as John F. Kennedy, who lent his enormous influence to the support of government funding for psychiatry, and, more recently, Rosalyn Carter, who has gone personally to the Congress on behalf of "mental health."

The marriage—and divorce—of psychiatry and psychoanalysis

Psychiatry's founder, Sigmund Freud, was aware and afraid of the medical monopoly, and in his *Autobiography* and *The Question of Lay Analysis* he argued that

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psychoanalysis was more akin to the ministry than to medicine, and that lay analysts should remain free of medical control. As Szasz has explained in *The Myth of Psychotherapy*, Freud wanted to feed his own voracious ego by franchising psychoanalytic institutes which would remain under his ideological control. A neuropathologist by training, Freud's earliest studies on hysteria brought the wrath of organized psychiatry upon him, and he was forced to remove himself from any contact with psychiatric facilities or societies. Only after his success in gaining public approval was psychiatry's appetite for psychoanalysis whetted. In Freud's own lifetime, and against his wishes, psychiatry would begin the takeover of psychoanalysis. Partly it took place as psychiatrists became heads of institutes, and refused admission to non-physicians. Partly it took place through state monopoly, as non-medical psychoanalysts were threatened or charged with practicing medicine without a license.

The Rockefeller Foundation played a crucial role in the unholy wedding of psychiatry and psychoanalysis by systematically funding psychiatric programs which promoted the inclusion of psychoanalysis. The goal was to give medical authority to psychoanalysis, and to lend intellectual validity to psychiatry. Thus in the 1930s psychiatry was already considered "depressed"; the cure in those days was not to give drugs but to hide under the mantle of psychoanalysis. The Rockefeller Foundation had an enormous impact, not only through direct funding, but through its influence, and within a decade many departments of psychiatry were headed by psychoanalytically trained physicians. This trend continued into the early '60s until the decline of psychoanalysis and the resurgence of overtly biological psychiatry.

Why did psychoanalysis decline, and with it the public's overall respect for psychiatry? *Time* would attribute the decline largely to competition from cheaper and more popular alternatives. But there are other free market forces involved as well. One is the stultification inherent in the monopoly process. The Psychoanalytic Institutes became a psychotherapy franchise largely protected from any competition by the medical monopoly. From the start of the psychoanalytic movement, the authoritarianism of Freud permeated these establishments, causing all innovators to be looked upon as "mentally ill heretics." Entrance to and graduation from the Institutes required personal conformity to standards of psychological "normality" and ideological conformity to classical Freudianism, or at best, a thoroughly acceptable modern revision of Freudianism. The Institutes required a lengthy training analysis of several years, even if the candidate had already undergone a personal or therapeutic analysis, and required attendance at Freudian seminars. The candidate, though already a psychiatrist, had to endure these infantilizing years of further training and supervision. He also had to see his "training patients" at a fee below that which he could already earn as a psychiatrist, and he might have to sign pledges about not using a couch on his own until after graduation. By the early or mid-1960s when I became eligible for entering a Psychoanalytic Institute, these authoritarian demands had already put off many if not all free and autonomous spirits among young psychiatrists, and applications to the Institutes were on the wane. I myself opted not to enter an Institute.

The stultifying effect of these monopolistic institutes can be seen in their products—the modern psychoanalists. They are generally a rigid, authoritarian and unimaginative lot. And the overall result of this stultification is an utter lack of worthwhile contributions to personality theory and psychotherapy in the last two decades. While the early stages of psychoanalysis produced many creative geniuses such as Jung, Adler, Reich and Horney, all of whom eventually broke with Freud and Freudianism, modern times have produced no revolutionary or even noteworthy intellectual contributions from within psychoanalysis. Those names that linger on as contributors to human thought—for example, Fromm, May or Erikson—are incorrectly identified in the public mind with psychiatry. They are "old-timers" from the non-medical era of psychoanalysis.

The monopolistic relationship of psychiatry (and hence pyschoanalysis) to the federal government has also killed the development of psychoanalysis. The government could not easily justify the expenditures of vast sums of money for the support of the allegedly fat cats of psychoanalysis. Nor could it justify funding research or education for a treatment which affected only small numbers of patients, and which require great lengths of time. In reality, psychoanalysts were not highly paid by professional or medical standards, because they could not earn more than their fixed hourly fees and because the intensity of their concentration placed limits on the number of their work hours. The shocker, the drugger and the mental hospital psychiatrist could earn far more money. Nonetheless, government funds were channeled into hospitals and somatic psychiatry in an effort to find cost-effective treatments for large numbers of people. Private health insurers also spotted a bargain in shock, drugs and brief hospitalization, and found these methods more compatible with their medical orientation. To this day, private health insurers wage a constant battle against funding longterm psychotherapy. The specter of National Health Insurance has been correctly read by psychiatry as one more step in the direction of support for physical means of therapy, and has encouraged greater emphasis upon these techniques in the profession.

Other forces within the profession of psychiatry and within society at large have accelerated the decline of psychoanalysis. Psychiatrists themselves are medically trained. Naturally they do not want to waste their years of training, and to discard the hard-won identity of physician. Psychoanalysis stands in such clear-cut opposition to medical and scientific viewpoints, despite Freud's sometimes bizarre attempts to use a scientific language, that psychoanalysis has found it hard to attract adherents from within the medical-psychiatric community. In the pursuit of "science," psychiatrists now lean toward simple-minded psychological theories such as behaviorism or toward vague, ill-defined biological explanations.

Why haven't psychiatrists been more willing to develop their own personal variations of therapy, such as Janov's Primal Scream or Berne's Transactional Analysis? This can be explained partly by the desire for a medical identity and partly by the dulling effect of the Psychoanalytic Institutes. The personality of the typical psychiatrist must also be taken into account. Who choses a career which requires four years of medical school, one year of internship, and a *minimum* of three more years of psychiatric training? It is not an appealing route to creative, free spirits. And the experience itself is regressive and rigidifying, reinforcing these tendencies within the aging student. Tack on several more years of psychoanalytic training, and the result is crushing. As I describe in my novel, *The Crazy from the Sane*, the result of psychiatric training is a dependent, conforming, self-oppressive individual. This is one reason why psychiatrists

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have the highest known rate of suicide among all professionals who have been studied.

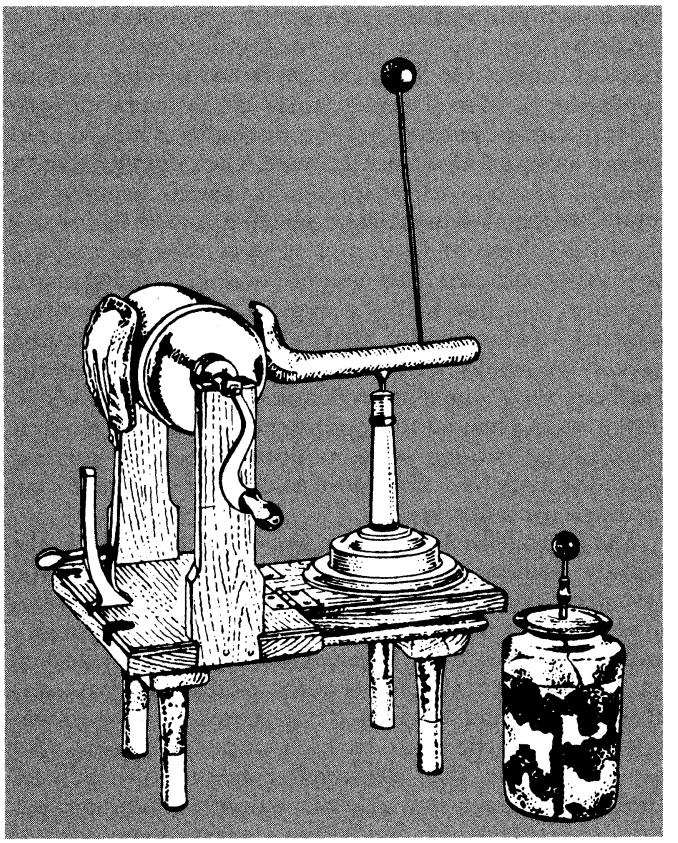
The beast rolls over

Today most directors of departments of psychiatry are biologically or behaviorally oriented; they are the most respected by their colleagues and the most honored with government funds. But while the *appearance* of psychiatry has been changed by the expunging of psychoanalysis, the actual practice of psychiatry has changed very little. Throughout the history of psychiatry—some three hundred years long—involuntary treatments, biological theories of mental illness and somatic treatments have dominated the practice of the profession. Only psychologically sophisticed upper-middle-class patients are likely to receive any form of intensive psychotherapy, and they only if they know enough to select a psychiatrist who is willing and able to offer this form of treatment. A successful psychotherapy requires a participation of two well-motivated, intelligent, responsible persons—patient and therapist—and the combination is not an easy one to find.

While the actual practice of psychiatry has varied little for the average patient over the past decade, the *public image* of psychiatry has considerably declined with the gradual decline of psychoanalysis and intensive psychotherapy. Great numbers of the public do favor a viewpoint which promotes involuntary treatment and biological and behaviorial explanations of human conduct. But they favor these approaches for *other people*. They do not wish to think of *themselves* as defective biological organisms in need of involuntary physical therapy. This is true even among psychiatrists. I remember during my first year of residency at Harvard's Massachusetts Mental Health Center that every resident on my floor favored involuntary biological treatment for most of his or her patients, but chose voluntary psychotherapy for help with his or her own personal problems during the year. The nation's intellectuals in particular may be willing to foist off oppressive therapies upon others, but will remain unwilling in most cases to think of themselves as candidates for these approaches. With the decline of psychoanalysis and intensive psychotherapy, what is left for the intellectuals to identify with on a personal level in psychiatry? Involuntary mental hospitalization? Behavorism? Pills? Electroshock? Psychosurgery? Surely the old-fashioned *New Yorker* style jokes about psychiatrists and their couches will soon be replaced by more virulent criticisms of psychiatry and its technology.

Psychoanalysis has been killed by its own monopolistic appetite, and by free market competition outside psychiatry. And psychiatry without psychoanalysis is a wolf without its sheep's clothing. The decision by organized psychiatry to reembrace the medical image can only make the wolf more ominous and hasten the public's withdrawal of its support.

What we are witnessing, then, is the last dying gasps of an already moribund psychoanalysis, and the exposure of psychiatry for what it is—a medical monopoly which must justify itself on biological theories of human unhappiness and prove itself through the enforcement of oppressive medical technologies. This brings me back to an earlier metaphor: Szasz has been stabbing at the beast's heart—involuntary treatment and the myth of mental illness—while I have been pulling its teeth and claws—drugs, electroshock and psychosurgery. Alone at first, we have been joined by increasing numbers of allies, some within the medical community. But in the midst of this growing attack, the psychiatric beast has decided to roll over and to display its most vulnerable underside—its biological guts. The medical beast, determined now to fight it out in its true identity, has doomed itself.



An early machine designed to cure mental illness by means of electricity—an invention of John Wesley, founder of the Methodist Church.

Nothing but good can come from psychiatry's increasing loss of public support. While the burgeoning therapeutic alternatives outside psychiatry have been ridiculed by the media as a part of the "me generation," they reflect a genuine free market in psychological services. Furthermore, the very concept of a "me generation" has egoistic libertarian overtones. While many alternative therapies now in vogue have strongly authoritarian tendencies, none is backed up by state enforced involuntary treatment, and none produces brain-damage. They offer variety tailored to individual tastes, and their flaws reflect the marketplace and its buyers.

In the meanwhile, libertarian alternatives are developing, as reflected in best-selling self-help books by libertarians, by Nathaniel Branden's workshops, and by my own libertarian psychotherapy. Yet the very concept of "psychotherapy" is medical and continues to burden us. Can anyone think of a better term than "psychotherapist" to designate a professional conversationalist who specializes in talking about individual personal problems? Szasz has suggested the term "iatrologician," but it is too cumbersome to survive in the marketplace. The person who coins a better term for psychotherapy or psychotherapist will further liberate us from the unholy marriage of psychiatry and psychoanalysis.

Peter Breggin is a psychiatrist in private practice in Bethesda, Maryland. His latest book, *Electroshock: Its Brain-Disabling Effects,* will be published by Springer in the next few months.

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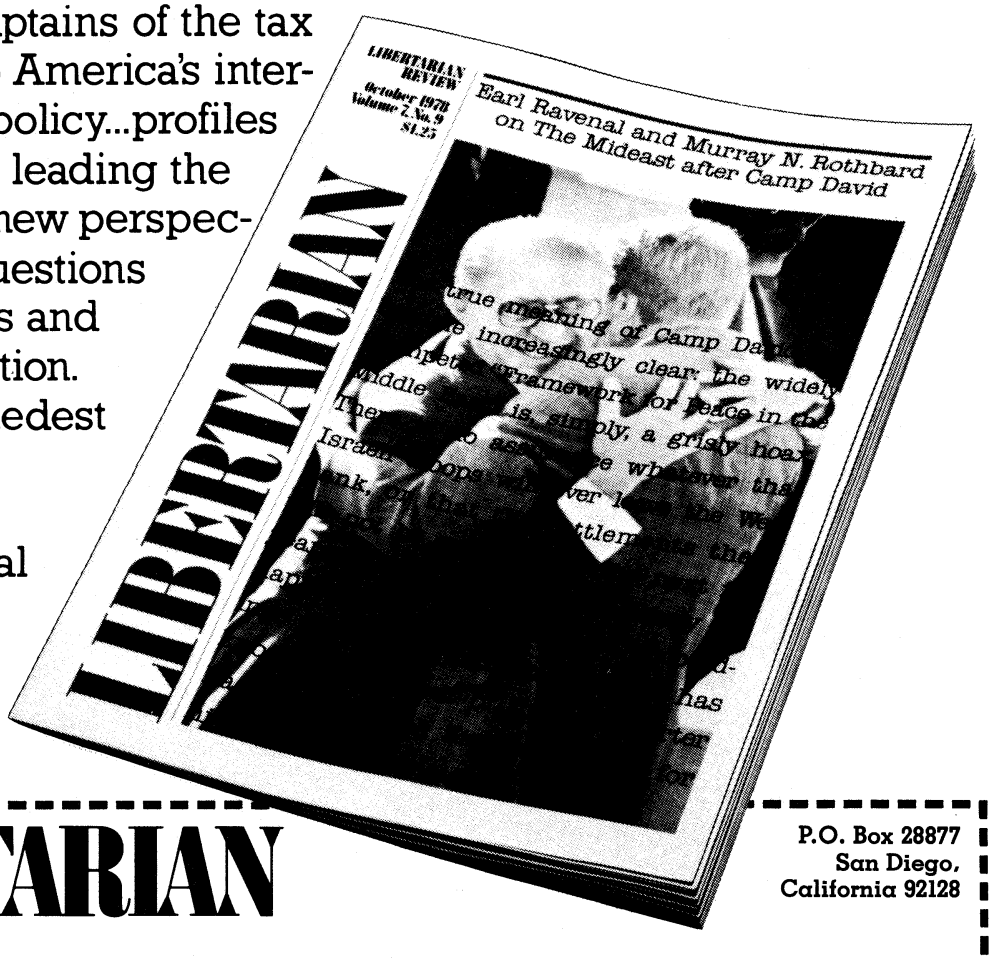

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BOOKS AND THE ARTS

The ecology con

JEFF RIGGENBACH

The Environmental Protection Hustle, *by Bernard J. Frieden. The MIT Press, 211 pp. $12.50.*

THE ENVIRONmental or "ecology" movement is one legacy of the decadent '60s which might seem at first glance to have outlived its usefulness. It is scarcely possible, of course, to gainsay the root claims of the movement—that human beings, like any other living creatures, must live with the environment, not against it, if they wish to live at all; and that the tastelessness and shortsightedness of which human beings sometimes seem uniquely capable have already begun to damage their environment, both aesthetically and hygienically. Only the hopelessly insensitive could fail to see the harm done to the great natural beauty of the city of Los Angeles, for example, by photochemical smog—or to feel, in their eyes and lungs, the harm that such smog does to the organism in the enviroment.

But root claims, alas, have had little enough to do with the sociopolitical development of the environmental movement since the '60s. By the early years of this decade the movement had been institutionalized and bureaucratized in the form of the federal Environmental Protection Agency (and a dozen or more lesser clone agencies in the various states). And it wasn't long before these agencies were busily using the rhetoric and the public opinion clout of the movement to advance causes which few environmentalists actually supported.

The closest parallel probably lies in the history of another '60s movement gone wrong, the civil rights movement. Few if any of the flower children who demanded equal rights for blacks a decade ago were trying to build a society in which it is no longer possible to obtain certain kinds of employmment (especially desirable white collar and professional employment) *unless* one is black. Few if any of them dreamed of a society in which reverse discrimination has become a fact of daily life, and in which individuals are not judged on their own individual merits but on the ridiculously futile basis of how much prejudice was directed against their great grandfathers. How then did it come to pass that the monstrous absurdity called affirmative action is the most conspicuous product of the civil rights movement of the '60s?

The answer may be given in a single word: cooptation. The most significant political achievement of the '60s, after all, was the successful cooptation by the left of the grassroots, anti-war, anti-draft, anti-authoritarian, pro-personal freedom movement we know now as the counterculture. And this cooptation was accomplished in the same way it is now being un-accomplished in the '70s—issue by issue and constituency by constituency. The left had traditionally associated itself with oppressed peoples; it was easy as pie, then, to go before the inexperienced leaders of a new grassroots civil rights movement and offer ideological and practical political leadership and assistance and convince these longhaired young radicals that they were in fact leftists themselves.

But, as has been noted, there were actually big differences between the approaches to civil rights activism of the youthful demonstrators and their self-appointed mentors. And millions of people who took to the streets to abolish the laws mandating racial discrimination saw their collective political influence used to pass affirmative action laws—which have done much to better the condition of professional bureaucrats and tighten the government's growing stranglehold on employment in this country, but which have done almost nothing for the blacks they were ostensibly designed to help. Since 1964, when affirmative action was born, the teenage black unemployment rate has almost doubled, and the percentage of non-whites in the labor force has shrunk steadily at the same time that the percentage of non-whites in the population as a whole has grown.

The history of the environmental movement is almost chillingly similar. In the beginning there was the unexpected, virtually overnight metamorphosis of a lunatic conservationist fringe into a genuine mass movement with millions of (mostly young) constituents, most of whom were demanding, in effect, "What *is* this? You can't go on polluting these rivers and lakes and streams and releasing poisonous gases into the sky. We have to *live* here!" Then came the cooptation, in which the leftists (mostly of the Establishment liberal type) jumped on the bandwagon, took over the reigns and took the first available turn in the direction of more government regulations and control. And if the affirmative action program is at once the most conspicuous and the most dreadfully unrepresentative product of the spirit of the civil rights movement of the '60s, then the environmental impact statement must be the most conspicuous and unrepresentative product of the spirit of that same decade's environmental movement. For just as affirmative action has enriched the bureaucracy without doing one whit of good for blacks, so the environmental impact hustle has enriched the bureaucracy (and the special interests whose satisfaction helps keep the bureaucrats in their jobs) without doing one whit of good for the environment.

Consider, as one case in point, the passage of laws requiring environmental

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impact statements from developers who propose to create new single family housing. MIT Professor of Urban Planning Bernard J. Frieden has done so, and has published his conclusions and the data on which they are based in a splendidly readable and informative book. *The Environmental Protection Hustle* is concerned principally with the impact of new environmental legislation on single family housing in California, where the environmental movement first got started and has built its largest, most vocal and most durable following. As Frieden sees it, that impact has manifested itself mainly in housing prices. Everyone knows that the cost of single family housing is higher in San Francisco than in any other city in the country, and that the cost of such housing in Los Angeles and San Diego is not far behind. The astronomical cost of a single family home in California is the central fact which lies behind the unbearable property tax assessments which lie behind Proposition 13. But according to Frieden, it is in this as as in so much else: as California goes, so goes the nation.

EMILIO A. MERCADO/JEROBOAM, INC.

Between 1972 and 1975, environmental lawsuits alone challenged or stopped construction of more than half the new housing units ordinarily built during a single year.

"California is not a national aberration," he writes. "There are enough examples of anti-growth tactics to show that what happened in California [during the 1970s] was part of a national movement."

And what exactly happened in California during those years after the fatal institutionalization and bureaucratization of the environmental movement? Well, first there was a sudden, unexpected, dramatic leap in the number of buyers in the housing market, as the leading edge of the baby boom generation began looking for homes of their own. Then came the inevitable market adjustment to this abruptly swollen demand: the price of the average home skyrocketed. And as if this didn't make things bad enough for young would-be homeowners, a move was already afoot to make them much worse. As Frieden depicts it, while an entire generation "was beating the bushes trying to find affordable housing in the suburbs, another group, smaller but influential, was doing its best to stop suburban homebuilding wherever possible—or at least to make sure that whatever was built was expensive. This coalition against homebuilding consisted of suburbanites who feared it would bring higher taxes and damaging social consequences, environmentalists concerned about the impact of growth on the natural landscape, and local government officials sympathetic to these views."

But the diversity of their actual reasons for opposing new suburban homebuilding notwithstanding, almost all the new opponents of growth who became active in California during the early '70s went public under the banner of environmentalism. As Frieden writes.

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Many growth opponents use environmental arguments to mask other motives, such as fear of property tax increases or anxieties about keeping their community exclusive. Environmental rhetoric has become a valued currency for public debate, with much greater voter appeal than arguments that appear more narrowly self-interested. As a result people who are not environmentalists in any sense often borrow it for their own purposes.

This hypocrisy is perhaps most flagrantly noticeable when anti-growth "environmentalists" adopt positions openly in conflict with their avowed principles. "Environmental groups," Frieden writes, "have helped to stop a series of housing developments located within short commuting distances of the main job centers around San Francisco. The result has been to push home-building farther out to scattered sites at the fringes of the urban area, where the new residents will use more gas and pollute more air while they drive longer distances to work."

In other cases, environmental groups have taken positions which strongly suggest the presence of a hidden anti-growth agenda behind their agonized efforts to protect the ecosystem.

Sierra Club chapters, for example, have opposed some suburban housing on the grounds that it would generate unnecessary long-distance commuting; have opposed other housing near suburban job centers on the grounds that it should be located closer to the central cities; and have opposed new housing near the central cities on the grounds that it would use up scarce open space there. Another California environmental group, People for Open Space, has objected to housing in the valleys near San Francisco because the valley soil is better suited to farming, and it has opposed new construction on the hillsides because it claims hill developments will increase the chances of landslides, floods, and fires.

On occasion, environmental groups oppose residential developments on grounds which can only be called frivolous. Frieden reports on one environmental impact statement which "made an issue of alleged danger to a rare snake whose presence in the area was never verified, and to a presumably rare red-legged frog that turned out to be neither rare nor endangered." Yet it is almost certain that some housing developments have actually been stopped by such frivolous objections, so slipshod and politically biased are the local hearings which judge their validity. "Local reviews," Frieden writes,

do not provide a balanced interpretation of the consequences of growth. They consistently exaggerate the problems that new housing might create. The public hearings have a theatrical quality that encourages speakers to simplify and dramatize all issues, including those of growth impact. In addition, the technical studies that local governments sponsor in order to analyze development impacts are themselves unbalanced. They lean heavily on speculative assumptions about events that nobody can foresee very clearly, and the results owe more to value judgments and political orientations than they do to scientific research.

The results of all this "environmentalism" have been devastating to millions of would-be owners of homes. The home prices which had already begun to double in the early '70s because of increased demand had almost redoubled in some areas by the mid '70s because of the environmental protection hustle. "Between 1972 and 1975," Frieden writes, "environmental lawsuits alone challenged developments containing 29,000 new housing units, in an area [San Francisco]

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that normally builds only 45,000 units each year." It doesn't take much imagination or much knowledge of economics to see the effect *that* would have on home prices in a market already overcrowded with buyers. Frieden argues that the environmental protection hustle is largely responsible for the passage of Proposition 13, because, as has been noted, it drove up prices—and tax assessments—at a time when they were already intolerably high.

And let it be reemphasized that this situation is not unique to California. All over the country, Frieden tells us, the environmental protection hustle "has made a clear and substantial contribution to the escalation of new home prices; yet its success in discouraging homebuilding has failed to produce important environmental benefits for the public at large. Instead it has protected the environmental, social, and economic advantages of established suburban residents who live near land that could be used for new housing."

Yes, just as the civil rights activists of the '60s never wanted a society in which it is impossible to get a job unless you're black, so the ecology activists of the '60s never wanted a society in which you can't buy a home unless you have a family income of around $50,000 a year. The best laid plans of mice and men, it seems . . . especially when their execution is entrusted to the State.

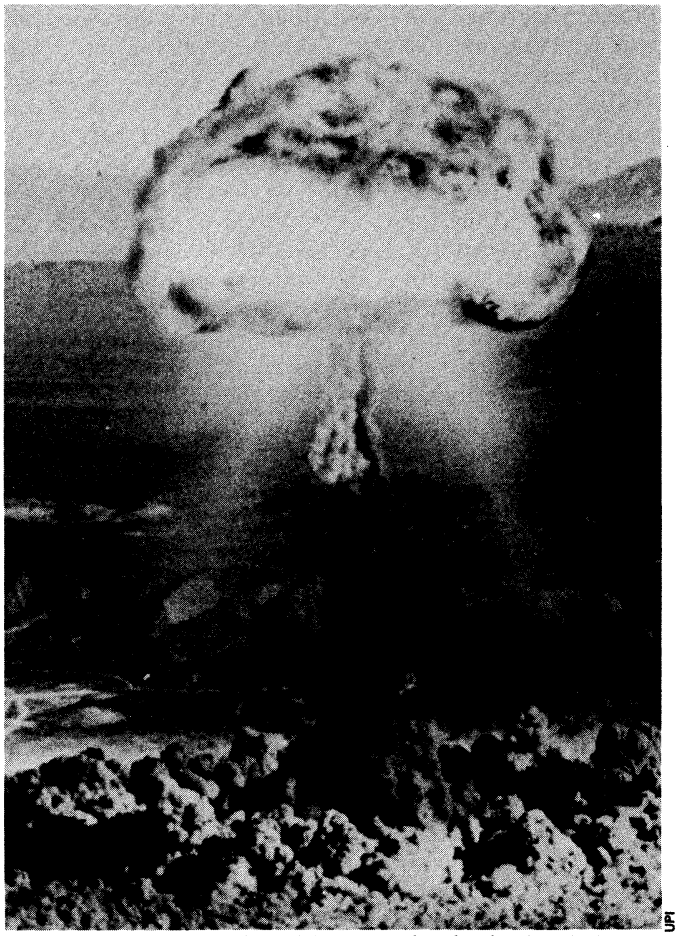
Blueprint for a nuclear war

JACK SHAFER

Dropshot, *by the U.S. Joint Chiefs of Staff, edited by Anthony Cave Brown, Dial Press, 330 pp., $12.95.*

BY 1949 THE NO WAR, no peace of the cold war appeared to many to be packed with Soviet victories. Northern China and most of Eastern Europe had fallen to the Communists. At home in the United States President Truman urged universal military training and loyalty checks, sponsored the Marshall Plan, and seized the railroads against the threat of labor trouble. Britain was broke. Berlin had been blockaded. Revolution shook Ecuador, Panama, the Dominican Republic, Guatemala, Bolivia, and Paraguay. Albanians mined British warships in the Corfu Channel. Marxist uprisings in Greece, Indochina and Indonesia and political maneuverings of the Communist parties of France and Italy all portended world revolution. The House Un-American Activities Committee was born. Communists exerted real influence in the U.S. labor movement. The NATO treaty was signed, as was the Warsaw Pact. And in 1949 the Union of Soviet Socialist Republics detonated its first atomic bomb. Total war between the hostile and competing ideologies of the USSR and USA seemed inevitable.

Against this backdrop of world "instability," Plan Dropshot was formulated. Authorized by the National Security Act of 1947 (the same legislation that brought you the National Security Council and the Central Intelligence Agency), the Joint Chiefs of Staff began to plan for world war with the Soviets. Described by editor Anthony Cave Brown as "the flow sheet for Armageddon," *Dropshot* was written in late 1949, postulating January 1, 1957 as the day World War III would break out. The date was totally arbitrary, used for planning purposes only. *Dropshot* provided for the atomization of Russia, invasion and occupation of the world's largest nation, and the destruction of world



The U.S. Joint Chiefs of Staff drew up a battle plan in 1949 which called for destruction of the Soviet Union by atom bomb.

Communism in the case of Soviet "aggression." Curiously, *Dropshot* does not define what constitutes "aggression." Is it invasion, threat of invasion, build-up? *Dropshot* gives no answer.

Dropshot was neither the first nor, presumably, the last of the war plans. In his editor's prologue, Brown acquaints us with a whole family of such war plans. The Rainbow and Pot of Gold plans were drawn up by our Army and Navy for potential war with Hitler, Mussolini, and Tojo. General Eisenhower produced a plan for war with the Soviets in late 1945 while still Commander-in-chief of the Allied forces, dubbing it Totality. The Pentagon's Joint Intelligence Staff wrote an air war study fifty-one days after the Russo-American alliance ended with the surrender of Japan. The Staff envisioned the atomic bombing of twenty Russian cities if war broke out between the USSR and the USA. The plan intended to destroy the Soviet capability to wage land war. Other war plans carried such catchy code names as Broiler, ABC 101, Charioteer, Cogwheel, Gunpowder, Dualism, Doublestar, and Fleetwood.

The unnamed framers of plan *Dropshot* conceived a political, economic, and psychological war directed from Moscow whose natural line of development would be massive armed conflict. *Dropshot*'s authors wrote:

> Never before have the intentions and strategic objectives of an aggressor nation been so clearly defined. . . . The ultimate object of the USSR is domination of a Communist world. In its progress to this goal, the USSR has employed, and may be expected to employ, the principle of economy of force.

Dropshot speculated that the Soviets would invade

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Western Europe from Poland with 100 line divisions, 5,000 combat tactical aircraft, 1,800 long-range bombers, and 2,500 transport planes. The planners concluded that the Soviets would smash Allied forces at the Rhine, overrun France and reach the Pyrenees in less than three months.

Conceding the initial land battles to the Soviets, *Dropshot* was basically a defensive plan, well in line with the Anglo-American tradition that sneak attacks are somehow "unfair." Once attacked, the United States intended to begin Plan Trojan, the Strategic Air Command (SAC) aspect of Dropshot. Trojan called for an air offensive of 300 atomic bombs and 20,000 tons of conventional explosives dropped on 200 targets in 100 urban areas by B-29s and B-50s from bases in Britain. Our forces were to "secure and control" sea and air lanes and limit the battle to the European and Asian continents. The Dropshot planners hoped for a short war in which the USSR would be ruined by the SAC attack against its administrative, rail, manufacturing, and mining centers. Because Russian bombers had the same range as American bombers and the Soviets were rapidly building their own nuclear arsenal and the planners figured the Russians would stage an invasion of Britain once the continent was secured, it was decided that the United States could hold the British bases for no longer than 60 days. If the Trojan plan failed to accomplish its objectives the United States was prepared for a long, drawn out war, an Orwellian war of (in the words of editor Brown), ". . . two exhausted giants hurling missiles at each other from time to time in an interminable and inconclusive war that ruined the world."

Plan Trojan came under the scrutiny of a further Joint Chiefs study. Lieutenant General J. E. Hull was charged by the Chiefs to see if SAC could win the air war in the 60 days before the Russians took the British bases. Hull's study is an interesting postscript to *Dropshot*. Because of the miserable state of intelligence about the Soviets, Hull and his group had to evaluate two different hypothetical levels of Soviet defense capability. The high level posited a modern air force, a sort of Russian Luftwaffe; the lower level posited a Russian air defense of Russian WW II caliber. This ignorance of Soviet capabilities permeates *Dropshot*. Brown provides frequent editor's notes that correct *Dropshot*'s errors. For example, *Dropshot* estimated 1800 long-range Soviet bombers when they only had 700.

Hull's group ran aerial tests, conducted war games, and performed computations to anticipate every possible American and Russian contingency. Hull's study concluded that even under the best conditions (low level of Soviet defense and night raids) that SAC would be unable to complete Trojan given the casualities forecasted.

Hull's group also examined the logistics of such an aerial bombardment and discovered the campaign could not be supported by the supplies of aircraft, parts, fuel, ordinance, personnel, and transportation that would be existent on May 1, 1950. Even the airlift required to bring the British bases up to Dropshot-Trojan rank was outside the ability of the Military Air Transport Service. Finally, Hull reported that the British bases were so vulnerable to air attack that once the Soviets realized the build-up of these bases and the poor level of air defense they would attack and thereby preempt Trojan. in short, Hull found *Dropshot* a recipe for the loss of WW III.

The importance of Hull's study was not lost on the Pentagon. In large measure, we owe the speed, reliability, and proliferation of SAC forces to the Hull study. SAC did not come up to Trojan standards until the late '50s and early '60s.

After Phase I of *Dropshot*, which essentially is the Trojan operation, Phase II, a time buying period, was to follow. Phase II was to build up the war-making potential of the United States so the Pentagon could initiate Phase III, a major land offensive in Europe. Phase III required manpower of 6.25-million men in uniform and another 8-million in merchant marine and other services. It is debatable whether or not the United States and Canada could have come up with that many men given the fall of Western Europe.

Dropshot is complete in its pessimism. The weak military stance of the Western powers is obvious. SAC was unable to complete Trojan. The American and British forces in Europe were situated in a posture of occupation rather than one of defense and very vulnerable to attack. A USAF report stated in 1950 that the Air Force could not defend the continental United States from one-way suicide bomber missions from Russia. Soviet sabotage in the United States was widely feared and the eventual invasion of the United States was given a chance of success, never minding the mind-boggling logistic problems involved. In fact, the only tactical advantage *Dropshot* gave the United States was the U.S. Navy's over the Red Navy.

Then why didn't the Soviets launch WW III? By all U.S. estimates they had a good chance of winning. The period between 1948 and 1957 would have been the best time for such a war before the introduction of ICBMs and mutually assured destruction (MAD). Their intelligence was better than ours. Our nuclear arsenal was incomplete to properly atomize Russia. Biological warfare, sabotage, and coventional warfare all gave Russia the edge. So why didn't they start WW III? Perhaps for the same reason they don't today. Murray N. Rothbard has cogently noted in his newly revised edition of *For A New Liberty* that the Soviets have never expanded their borders, but merely defended old Russian imperial gains. As Rothbard notes, Marxist-Leninist ideology is expansionist, but assumes that the "victory of Communism is inevitable—*not* on the wings of outside force, but rather from accumulating tensions and 'contradicions' within each society." For Rothbard, the Soviets' major priority is defense against attack, with the domination of the world a distant second. And the border the Soviets are most sensitive about, and rightfully so, is the western border, the site of three major invasions of Russian soil in the last century. As Rothbard points out, it is possible the Soviets may contradict Marxist-Leninist theory, but if the *Dropshot* premise is that the Soviets plan world domination through their Marxist-Leninist ideology, surely a closer examination of the "peaceful coexistence" nature of that ideology should be taken into account.

In all fairness it should be pointed out that *Dropshot* was *not* an evaluation of Soviet intentions, but an evaluation of Soviet capabilities. Perhaps that is the subject of a study not yet declassified. Also, one wonders how close possessing a plan for war comes to constituting an active intention to wage that war. In 1948 Stalin referred to American war plans against Russia

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and the Russian representative to the United Nations, Andrei Vishinsky, charged America was planning atomic war with Russia over Berlin. Still, there is nothing in *Dropshot* to suggest it was a preemptive plan to destroy the Soviets before they got too powerful. If such a plan exists, I doubt *it* will *ever* be declassified.

Brown glosses over the fact that the United States planned to use nuclear devices on Russian territory in the event of a conventional Russian assault. Actually this tactical decision should come as no surprise. For all the lip service the United States has paid to the principle of never being the first to use nuclear weapons in combat, the fact remains that only one nation has. Ask the Japanese. Could it be that our leaders did not find the use of nuclear weapons so abhorrent until our nuclear monopoly was broken?

Brown wonders why *Dropshot* was released at all. As he writes in the prologue,

> . . . I am bound to conclude that it was folly to release this document. It should have been burned, buried, or preserved in some secret vault, for it cannot endear America to Russia . . . . The Russians will argue that *Dropshot* constitutes an example of America's continuing bellicosity toward Russia and that therefore Russia must maintain and expand her armed forces.

Released by a 1977 Freedom of Information request and the Government's decision to declassify, *Dropshot* is now public property and available at the National Archives for fifteen cents a page. Brown entertains several possibilities for the disclosure of *Dropshot*. Maybe *Dropshot* was a blind designed to hide another plan, or a detente torpedo. Brown finally decides *Dropshot* was released because it is obsolete. Conceivably, *Dropshot* was designed as an alarmist document to instill fear of the Soviets in the hearts of the President and Congress, a fear that could pump up the military budget. As Rothbard has written, ". . . war and phony 'external threats' have long been the chief means by which the state wins back the loyalty of its subjects. War and militarism were the gravediggers of classical liberalism; we must not allow the state to get away with this ruse ever again."

Was *Dropshot* the beginning of a 30 year-old ruse, a ruse that still places millions of U.S. troops and billions of U.S. dollars in defense of a Europe under no real threat of Soviet attack? Do American and Russian sabers rattle in harmony? Libertarian foreign policy, still in its infancy, can profit from a detailed analysis of *Dropshot*. A "flow sheet for Armageddon" is not something you can ignore.

Jack Shafer is a freelance writer based in Los Angeles.

The machinery of Chicago

DAVID J. THEROUX

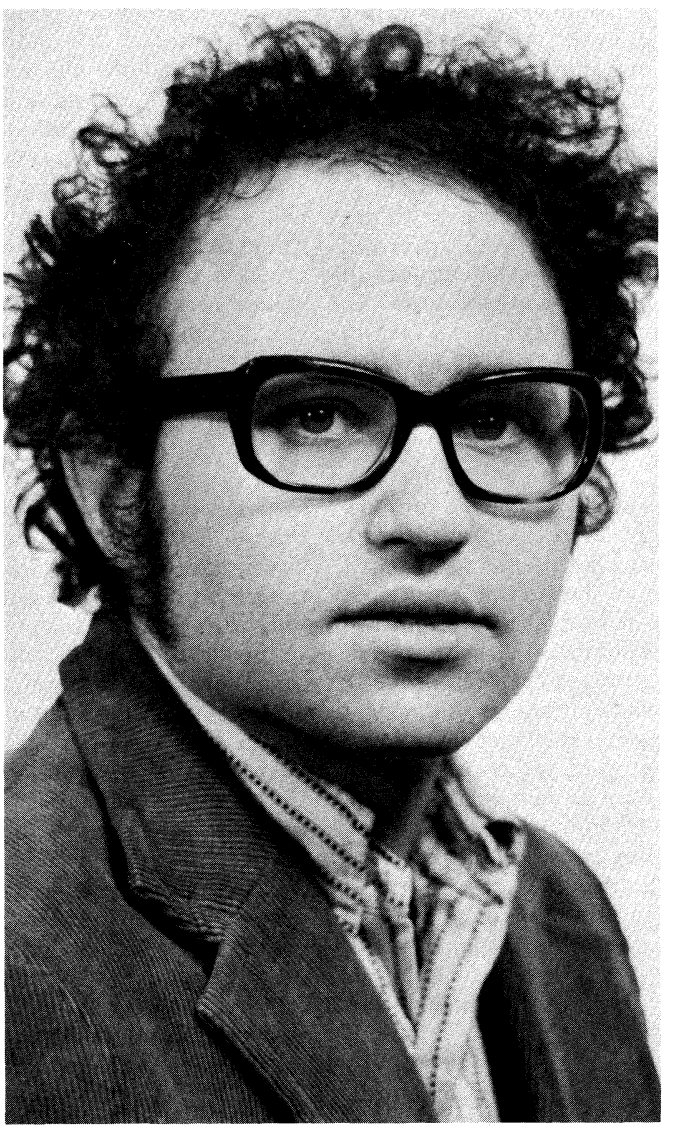
The Machinery of Freedom, *by David Friedman. Arlington House, 240 pp., $10.*

WITHIN THE LAST FEW months, two major introductory works on libertarianism have been reissued: Murray N. Rothbard's *For a New Liberty* and David Friedman's *The Machinery of Freedom*. Both were first published in 1973, when the libertarian movement had not yet established itself as a major American intellectual and political entity. Both authors sought to push libertarian theory to its logical conclusion by arguing for a purely stateless society, in which government activity is replaced by free private institutions.

Since 1973 the once obscure libertarian movement has grown into an influential group of organizations holding immense promise for redirecting the future course of society. Indeed, an argument can now be made for the view that the libertarian movement has "grown up," with a more intellectually sophisticated, professionally-oriented new generation of people at its helm.

However, while the new edition of Rothbard's *For a New Liberty* is a revised and expanded edition, updated to reflect the considerable advances since 1973, David Friedman's book includes no textual updating at all, only the addition of a helpful index and some useful revisions in the appendix of organizations and references. In addition, where *For a New Liberty* places libertarianism in a broad historical context, and offers a persuasive strategy and vision for the future, *The Machinery of Freedom* is more a collection of insights and suggestions blended together as a refutation of many popular myths about the concepts of private property, individualism, and free market capitalism.

Despite this approach, *The Machinery of Freedom* is still a very important and useful addition to the library of works seeking to dismantle state power. The new hardcover edition is a reprint of the earlier Harper and Row Colphon paperback. The book is divided into three parts: "In Defense of Property," "Libertarian Grab Bag, or How to Sell the



David Friedman

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State in Small Pieces," and "Anarchy is Not Chaos." About one third of the book consists of revised columns and essays published many years ago but still very relevant to the themes they treat. (Some are even more relevant than before: "Open the Gates" is an excellent demolition of the case for immigration laws; short, concise and to-the-point.)

Throughout *Machinery,* Friedman offers creative analyses of a myriad of economic and social ideas and issues. His style is personable, non-pejorative, easy-to-read, and he provides the reader with an optimistic and intelligent discussion of many sensitive social matters. He presents excellent arguments for privatizing schools, streets and natural resources; for deregulating utilities, the professions, transportation, and communications; and for legalizing drugs and alternative lifestyles. In addition, he effectively contrasts socialism to capitalism, citing Ludwig von Mises's definitive refutation of the case for collectivist economic planning. Furthermore, in discussing socialism's appeal he shows how such values as love, equality, and brotherhood are unattainable outside a political system of *voluntarism.*

In fact, *Machinery* provides the very best "Chicago School" attempt at legitimizing libertarianism as a political system. In many ways, David Friedman goes far beyond Milton Friedman's *Capitalism and Freedom,* attempting to set forth a more thorough treatment of liberty in all its ramifications. As a result, the book offers one of the best insights into the nature of the Chicago School ideology. However, this defining feature of the book also severely limits its effectiveness.

To the Chicagoan economist, economic and political analysis can only be made on a utilitarian basis; the relative merits of various government policies are evaluated on a more-or-less cost-benefit basis. At the outset of the book, although Friedman declares his support for the concept of private property, including a passing mention of self-ownership, he sidesteps the problem of establishing any specific criterion for just property titles, pointing out that "libertarians disagree" on how just ownership is acquired, leaving it at that. He emphasizes the importance of rules, without addressing the question: *What* rules? Thus, instead of taking up some of the criteria argued for by figures like Nozick in his *Anarchy, State and Utopia,* or Rothbard in several places, he avoids the problem. It is particularly unfortunate that this feature of the first edition is carried over into this second edition despite the interluding work of such natural rights theorists as Nozick, Rothbard, Tibor Machan, Eric Mack, Ronald Dworkin, Henry Veatch, David Norton and others. This shoving aside of normative considerations is, alas, something we find all too frequently among economists who do not, apparently, regard moral judgments as "scientific."

In attempting to interpret social problems in terms of the concept of private property entitlement, we must first have a theory of what such a relationship means. The reason a theory or criterion of justice in property entitlements is so important is that the entire controversy in political theory is not only over the fact that all human behavior requires controlling and directing physical entities, but is also over *who* should control and direct *what* physical entities and *why*. David Friedman's tacitly utilitarian justification for property rights is simply not sufficient. Why indeed should each individual possess even the right to self-ownership in his person, as Friedman claims? Why shouldn't I rightfully own New York City, the Pacific Ocean, or even David Friedman? Why shouldn't the automotive factory worker own the crankshaft he has installed? Why shouldn't the United Farm Workers own the lettuce crop of California? Why shouldn't the Shah own the nation of Iran? Why shouldn't Carter or Brzezinski own the American people (a question, indeed, which has apparently never occured to *them,* at least)?

The point is that there is no way to know who should own what without a criterion, that is, a clear ethical theory to guide us in our judgments of what constitutes justice in human affairs. Otherwise, any definition of "ownership" could be substituted for self-ownership and be evaluated in Friedman's fashion. As a result, *Machinery* cannot adequately justify a libertarian society. In fact, Friedman's *Machinery* implicitly recognizes this fundamental problem in the book's occasional uneasy assertion of ethical considerations.

But even Friedman's utilitarian cost-benefit analysis itself suffers. As Hayek, Buchanan, Lachmann, Mises and others have shown, costs and benefits are subjective valuations continually altered over time by countless diverse individuals, with the assessments of the importance of government programs necessarily shifting from individual to individual. Hence, the trucking industry's cost-benefit analysis of the ICC might be quite different from that of the average consumer. Similarly, the cost-benefit analysis of a military draft is quite different for the Pentagon than for an 18-year-old male.

Instead of attempting to register some inter-personal utility optimum for society, Friedman should have applied the methodological individualism of this subjective cost theory to show who benefits and who loses from government programs. As a result, we could have learned not only who benefits from government intervention, but in fact, who is responsible *for* various forms of statism. From here we could map out the exact workings of the American corporate state system, who controls it and why, where it is and is not vulnerable, and how we might act to combat it. Friedman considers none of this, disputing instead the very existence of a "ruling class" in his disingenuous chapter "The Economics of Theft, or the Nonexistence of the Ruling Class."

The second major feature of *Machinery* which suffers from Friedman's "Chicagoan" ideology is perhaps the most serious and reflects Chicagoan thought most dramatically. In contrast to the Austrians, as neoclassicists and like Keynesians, Chicagoan economists approach economics as the study of a series of strictly *static* relationships in which all human tastes, knowledge, and choices have been pre-arranged and are unchangeable. In this manner, economics becomes the comparative study of different states of equilibrium. As a result, how or why human beings can move from one state to another is never considered, nor, more importantly, is the fact that such states can never actually *exist*. An end state in which all desires are satisfied, all prices come to rest and action ceases *cannot* exist without the termination of human life. Life is a *continuous process of action,* and if we are to understand ourselves, our society, and comparative political systems, we must study the cause and effect relations of such *action*.

The relevance of Friedman's ideology in *Machinery*, Chapter 31: "Is Anarcho-Capitalism Libertari-

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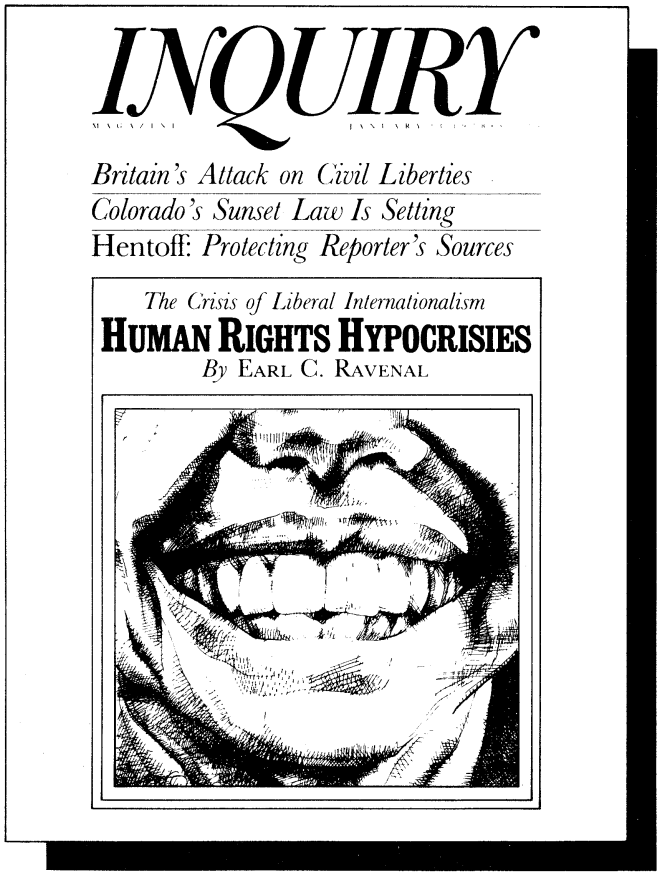

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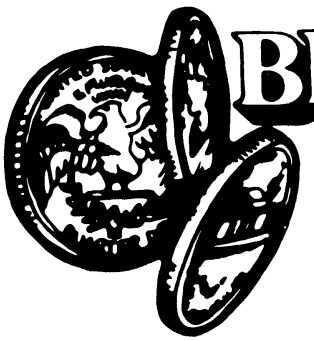

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an?" Here the avoidance of normative considerations and reliance on "positive" predictions is most harmful. George Stigler has correctly pointed out that assuming that the world instanteously moves from one static equilibrium to another necessarily means that those social situations existing in the world at any one moment *must* be optimal. If we are always at equilibrium, given our limited knowledge and other resources, *any* political system, government policy, or act of violence must be optimal. As a corollary, only in a world of perfect knowledge could people be sufficiently equipped to want and be able to institute a free society! Hence, Stigler claims that inflation only reflects the fact that those people who actually prefer inflation want it more than those who do not. Similarly, one must suppose that concentration camps, mass murder, war and slavery have *also* been "optimal." But in considering things this way, the Chicagoan makes no distinction between government and private enterprise. To him, both are merely competing "firms" on the market—coercion no longer becomes a meaningful concept, merely another of various forms of market behavior. And those oppressed by government power have actually demanded it, because their choices have not indicated any preference for an alternative.

From such a worldview, the Chicagoan economist *as a Chicagoan economist* is not moved to abolish government programs. Instead, he desires to make government more "efficient." And, the difference between our society and any *more* libertarian society is merely the degree of efficiency of each individual firm (government included). Hence, Friedman can discuss whether a "stateless" society can be libertarian. And, in other writings, he can discuss the "optimal size" of nation-states (See "A Theory of the Size and Shape of Nations," *Journal of Political Economy*, 1977).

In *Machinery,* Friedman also considers the likelihood of private law enforcement being libertarian. But we can see that his society of private defense agencies which enforce antilibertarian law is completely indistinguishable from the justice system which exists today. In other words, if all governments are merely "firms" on the market, don't we *already* live in a society of "anarcho-capitalism"? Since all defense agencies will necessarily defend certain geographical areas, whether they be the area occupied by a single human being, a residence or an entire proprietary community, there actually is no distinction. Hence, Friedman's entire discussion becomes irrelevant to the very important question of what a *free* market in police, courts, etc., is and whether it is stable and desirable.

In direct contrast with this approach, Rothbard's *For a New Liberty* insists on a necessary precondition to a system of free market defense, namely the Rule of Law codification of justice in property rights disputes. As a result, all private defense agencies could only be defined as such and allowed to operate so long as they adhered to the libertarian Rule of Law. All others would be outlaws subject to direct criminal prosecution.

In addition to these problems in Friedman's approach, others arise apparently as a consequence, leading Friedman into developing a variety of antilibertarian policy pronouncements. In discussing public education, he opposes tax credits, tax resistance, and other more radical schemes to combat public schools. (He even opts for taxes in general as long as it is the U.S. government doing the collecting and not the Soviet Union.) He defends a government enforcement of educational standards. He blueprints a proposal for the most efficient methods of assessing and collecting taxes, and opposes civil disruption of government operations.

Particularly disturbing is his cost-benefit analysis of pollution and national defense as "public goods." As mentioned above, the concept of "public goods" is a meaningless one, since all goods can only be defined and consumed by individuals, not "publics." Where someone is forced to bear the costs of another's enterprise, *then* an inefficiency in the only definable sense exists. Property titles must then be more clearly defined and enforced before such inefficiency—such as pollution, for example—can be eliminated.

His discussion of national defense is even weaker in that the concept of the United States as a "nation" is defined solely by the U.S. government's claim to rightfully "own" a certain geographical area. Society's demand for defense *is* considerable, but only so far as the defense of individuals is concerned, not the Federal government's seizure and occupation of land. In the light of the incredible success of popular, decentralized defense forces and guerrilla warfare from the American Revolution to the present, his further dismissal of popular militias is totally unjustified.

Similarly, his case for a Soviet threat of nuclear blackmail is also weak, since such a threat would run exactly counter to the only reason any world power might have to conquer American society, i.e. to exploit it economically.

Finally, unlike Rothbard, Friedman's unwillingness to perceive the State as an enemy in itself prevents him from developing any coherent libertarian strategy. Instead, he concentrates on a piecemeal discussion of the merits of the voucher plan, more efficient local government, and the case for nuclear weapons. Again, failing to recognize the subjective quality of costs and benefits, he declares himself solely a "mercenary," uninterested in any strategy for public organization and resistance. And his strategy for "selling the state in pieces" fails to recognize the ferociously strong commitments of some groups—classes—in clinging to state power to gain wealth and privilege, i.e. the nature of the "class struggle" inherent in state affairs. No social movement, libertarian or not, can ever achieve sweeping social changes on such "gradualist," opportunistic terms. Like other successful movements, libertarianism is a call for radical social change. Without the demand of such radicals as the abolitionists for the end to black slavery, slavery could not have been eliminated. Without the colonial refusal to comply with mercantilist tax and tariff laws, the American Revolution could never have defeated the British. Friedman's strategy is not a strategy for victory, but only the echoing from the discredited decades of American conservatism. Perhaps this is why David Friedman can refer to himself as a "Goldwater anarchist."

Although *The Machinery of Freedom* is valuable indeed for many of its arguments supporting private property alternatives to government, Friedman's fundamentally flawed Chicagoan thesis fails to justify a libertarian society. It not only misrepresents the libertarian ideal, but calls for a conservative assessment and strategy for resisting State oppression.

David J. Theroux holds a Masters degree in Business Economics from the University of Chicago.

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On View

Bless the children

DAVID BRUDNOY

UNITED ARTISTS

"*Hair* on screen takes on the coloring of a nostalgia piece of the first order."

THIS IS NEITHER THE dawning nor the waning of the age of Aquarius, as if you hadn't noticed. But as we search after our lost youth and sometimes find it the second time around, we —no royal "we," that; I'm asking you to join this conspiracy of the no longer peach-fuzzy in a somewhat cold examination of Them—recognize how lovely and irrelevant are the myths that sustain us. We are not far enough away from adolescence to recall clearly how agonizing it was, or (at least in my case) from college to recollect how gloomy some of those bright college years actually were, too caught up in the still insidious cult of Youth to appreciate fully the occasional advantages of non-youth. But unless we have a particular affection for movies about elderly drifters and their cats and dogs, we are obliged, at the movies, to form some attitude toward and come to terms with some comforting or disturbing images of the generation supposedly enjoying this, the best of all their possible worlds.

All of this preamble is by way of avoiding the task at hand, which is now really at hand: coming to grips with *Hair,* a movie almost embarrassingly enjoyable, constructed out of the better bits and pieces of a ridiculous (and ridiculously memorable) stage play of the same name. *Hair* is everything *The Wiz* wasn't: a successful translation from stage to screen, an enlarging that didn't result in elephantiasis, a magnification of a preposterous conceit into a delightful communal joke *cum* affectionate memento of an age that never was, albeit an age that, all things considered, would likely have been greatly to be preferred to the age that was. I write as a hippie *manqué,* which is to say, a rather priggishly right-wing hippie at a time when the combination was less oxymoronic than moronic. And I would like to slide around the main theme for a while before grappling with it, in order to set in a plausible context this very special film that stands out of the current crop of youthy films like a Watusi among pygmies.

Youths don't write movies about youths: they don't, as a rule, write, at least nowadays, anything readable. This is a given: adults, in a greater or lesser state of nostalgic myth-making about their own past, create the films that purport to tell us something worth knowing about the young. Not too much need be said of the television images of youth, in the prime-time situation comedies that have made of John Travolta and Henry Winkler folk heroes to their historical period. David and Ricky Nelson are not so much buried in memory as stuffed into snug trousers and allowed to stay up after their bedtime. It boils down to little more than that. The allowable range for The Kids on TV is from A to B—adorably delinquent to bubbling with enthusiasm. It is not an expansive range, for all that it is fleshed out with all the variation of your choice of tooth paste, and mine.

In movies the television canons prevail but are not all-inclusive (just as, in fairness, an occasional "problem" program is permitted on television, by way of framing the acceptable with undesirables). The relentlessly cloying hand of the television censors is absent, as is, accordingly, the felt need to express every "outlandish" action via innuendo and every other distressing emotion by suggestion, preferably just before a commercial. On the movie screen the forbidden may be permitted, and is.

Of the recent films worth mentioning, several have attempted to dramatize some facet of youth "culture," this of course quite expectable given the American love affair with youngness. All have been caricatures—*Hair* is too, however charming—and all have so

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excluded other facets of personality and attitude that their one-dimensionality emerges as artifice in the most unfriendly sense of that once more versatile and flattering word.

Fast Break has taken Kotter of "Welcome Back, Kotter," given him a new name, and a slightly different job, and parlayed stupid writing, unabashed condescension, and formulaic plotting into an exceedingly popular film that has drawn enchanted audiences to slobber before it. Gabe Kaplan is reborn here as a basketball coach sans basketball team, handed the chance to rescue a backwater college from the doldrums by recruiting a team and leading it to thrilling last-second victory over State. He scoops up four Negroes, one of whom is a female who manages to pass herself off as a male until she must reveal her gender or leave her admiring beau convinced that he is incurably queer; and having spirited them out of New York with promises of greener pastures in farther zones, sets them to dribbling and scoring and, as if there were ever any doubt about the outcome, to winning. The heroic characters in *Fast Break* are reduced to Jock, with a little bit of Horny thrown in to make the most out of the limp little subplot concerning the young lady who goes by the name of "Swish" and is thought of as you know what. The film is a vehicle for Gabe Kaplan to play Gabe Kaplan playing Kotter playing basketball, and it serves as well to reduce its young valiants to the objects of his coaching genius. Maybe the movie's popularity stems partly from the fact that a goodly number of American young people see themselves primarily in terms of how well, or how ill, they manage a sport. *Fast Break* tames its blacks, integrates them with scrubbed pink hicks, asserts the saving grace of Love, and rolls in the bucks.

So much for Youth as Athlete. Youth as impediment to adult pleasure is served up in *Your Turn, My Turn,* a French comedy currently enjoying a modestly successful run here and there. While Agnes (Marlene Jobert) works inventively to cheat on her husband with Vincent (Philippe Leotard),who is divorced, their children—her little boy and his little girl—manage inevitably to crawl into the picture and spoil the fun. The movie shares with many other French films that cross the Atlantic a sophisticated and cynical attitude toward the marital vows, and as such is itself primarily a variation on a very tired theme. The interesting aspect is its relentless loathing of children: oh there is no abusing of the children, no harsh words, just a succession of increasingly exasperated Gallic shrugs and ever more imaginative dissembling to get around the kiddies and into the bed. If W. C. Fields had been reborn as a French director today, and elected to transform his hostility to Baby Leroy into a contemporary, chic, stylish little item for the art house trade in the States, he would have fabricated something resembling *Your Turn, My Turn.* It is unforgivable to portray young children as monsters, but it is clever to portray them as party-poops. So much for Youth as spoilsport.

Youth as gang member is a subject matter ideally suited to the cinema. Whether set to music and given dancin' shoes, as in *West Side Story* (another brilliantly successful stage show converted splendidly to film), or outfitted with a Greek mythic skin and inflicted on the nation as *The Warriors,* the exuberance of youth is worked into some conflict situation and let loose, in effect, to flex, strut, and maim. *The Warriors,* for all that it dragged every would-be cinema censor out of the shade into a momentary glare of righteous indignation, is a fairly tame item compared to what, we are promised, is soon to come. A spate of gang movies is almost upon us, and if industry promotional material is to be believed—and in such matters it is usually reliable—and if the stills woven so convincingly into the March *After Dark* piece by Stephen Schaefer, "Hollywood's Sons of 'Saturday Night Fever,'" give an adequate sampling of the next wave of these features, we shall soon be awash in bloody sagas of restless, rootless youth expressing itself through mayhem. Schaefer's article surveys the landscape, and it looks, at least to me, bleak, gory, and vast. If I correctly understood *The Warriors,* and if I can read between the lines in what I've read of the movies soon to appear, the reduction here is to Youth as Alienated Combatant.

Of Youth as Lover nothing, I imagine, need be said. This is as old as the hills, even when given a little twist here (blind skater beloved of her adoring childhood sweetheart: *Ice Castles*) or a little quirk there (deaf dancer romanced by her rock singer lover: *Voices*) or—but surely nothing more need be said.

Of *Hair* nothing can be said that would alter to any substantial degree the idea that the movies are best prepared to give us a cliché and let it go at that. The Age of Aquarius cliché was not exactly invented by the musical *Hair* a decade ago, but it was enshrined by it, and as stagey, as unidimensional, as silly as that cliché was in the musical sensation, it was then and remains now a more appealing cliché than most of the others we find ourselves confronting on the screen. Gerald Peary, the estimable lead reviewer of a Boston weekly called *The Real Paper,* accurately captures the *Hair* of blessed memory as follows:

> *Hair* on stage had been banal enough, a titillation for visitors to New York who wanted to see what that sexy hippy life was all about anyway. It was a literal freak show with a hush-hush extra, the famous nude scene with nubile, bare-assed young bodies spaced out over the big stage. I mean, the play was a very clever fraud. Those were *theatre* hippies, Broadway song-and-dance kids who put on long-haired wigs and were willing, for the price of fame, to take off their clothes. . . . *Hair* was a play for our curious parents, or for our romantic younger brothers and sisters . . . *Hair* was an immediate artifact, hardly more germane to our daily lives than a Neil Simon suburbanite comedy.

Just so.

Peary dislikes the movie and makes a good case for his dislike. He is the only critic I respect enormously who felt so strongly that the movie failed, and his objections to it are worth more than a passing glance. But I found myself reacting to the movie in a quite different way. Director Milos Forman, a Czech émigré, took the self-congratulatory material of the stage play and transformed it into a rollicking put-on. A decade, at least *this* decade, from 1969 to 1979, is a very long time indeed, in an era of incessant change. *Hair* on screen takes on the coloring of a nostalgia piece of the first order: it throws in just enough of the historically accurate (those mammoth "love-ins" in the parks; the anti-war, or rather anti-draft rhetoric; the costume party approach to hippy dress; the we-hate-the-Establishment-and-aren't-they-drippy *amour propre* of the protagonists; the conversionist mentality of those who when faced by a straight kid from the sticks shift instantly into the missionary guise to save the *naïf* from himself) and then wraps all that up in fantasy,

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Twyla Tharp's choreography, and the mock-rock lyrics and showy tunes that made a very rich man indeed of Galt MacDermot.

Hair permits us to jump back ten years, at least to jump back to a 1969 that seems infinitely more joyous than the 1969 we lived, yet creates a deliberate space between us as rememberers and us as romanticizers. We know that it is all hogwash, elaborate and lovely and sweet, and we are jarred at the end by the intrusion of death—just to keep us from forgetting that the price of Vietnam was untold misery—but we are rocked in a cradle of affection and grace that defangs even the barbaric antics of the head hippy, one Berger. The antithesis in *Hair* is dramatic but sugar-coated. The "straights" versus the hip: on the one hand the parental generation scandalized by the intruding youths; on the other hand the young man from the farm who comes to New York to be inducted, and the society girl who comes to fall for him and thus to fall in with his newfound friends in their feathers and bows. Claude (John Savage of *The Deer Hunter*) shows us eyes to look straight into his virginal soul: he is so pure, so *nice*, so patriotic—meaning, so gung-ho to join the Army and go kill gooks—that he draws Berger (Treat Williams) and his merry band of the unworldly like honey the flies. They cannot resist the urge to enlighten him, and enlighten him they do: his baptism is by pool, in the raw, at night, the literal shucking of his inhibitions by the mere act of stepping out of his shorts. He goes to the Army nonetheless, and here *Hair* creates its most amusing juxtaposition of song to scene. "Black Boys, White Boys" is taken from the park to the induction center. First three girls sing the praises of lads of the other race, and then the recruiting officers repeat the ecstatic lyrics, until in short order a frothy little ode to interracial coupling becomes a devastating exposé of the repressed homoeroticism of the military mind. Not that we are meant to assume that that is all there *is* to the military mind—or *are* we? Of all the familiar songs that the movie places in new surroundings, this is certainly the most effective as satiric comment.

Hair triumphs on several levels. It utters one last shout of approbation for a vanished (or at least fast-vanishing) breed of semi-rebels; it gently closes the door on a remembered non-happening; it ribs the Powers and sends up the powerless; it gives the finger to the War and closes with the only honest memory any of us can carry away from that fiasco: the snuffing out of young life and the cynicism a bungled venture engenders; it invites us to inhale deeply of the flower *they* thought they had plucked and held up for America to adore in place of the rifle; and it leaves us to wander among the weeds that linger. ❑

LR's film critic hosts "The David Brudnoy Show" on WHDH-AM and hosts "Nightscene" and is critic-at-large on WNAC-TV (CBS) in Boston. He writes a syndicated newspaper column and reviews books and restaurants for several magazines. **© Copyright David Brudnoy 1979.**

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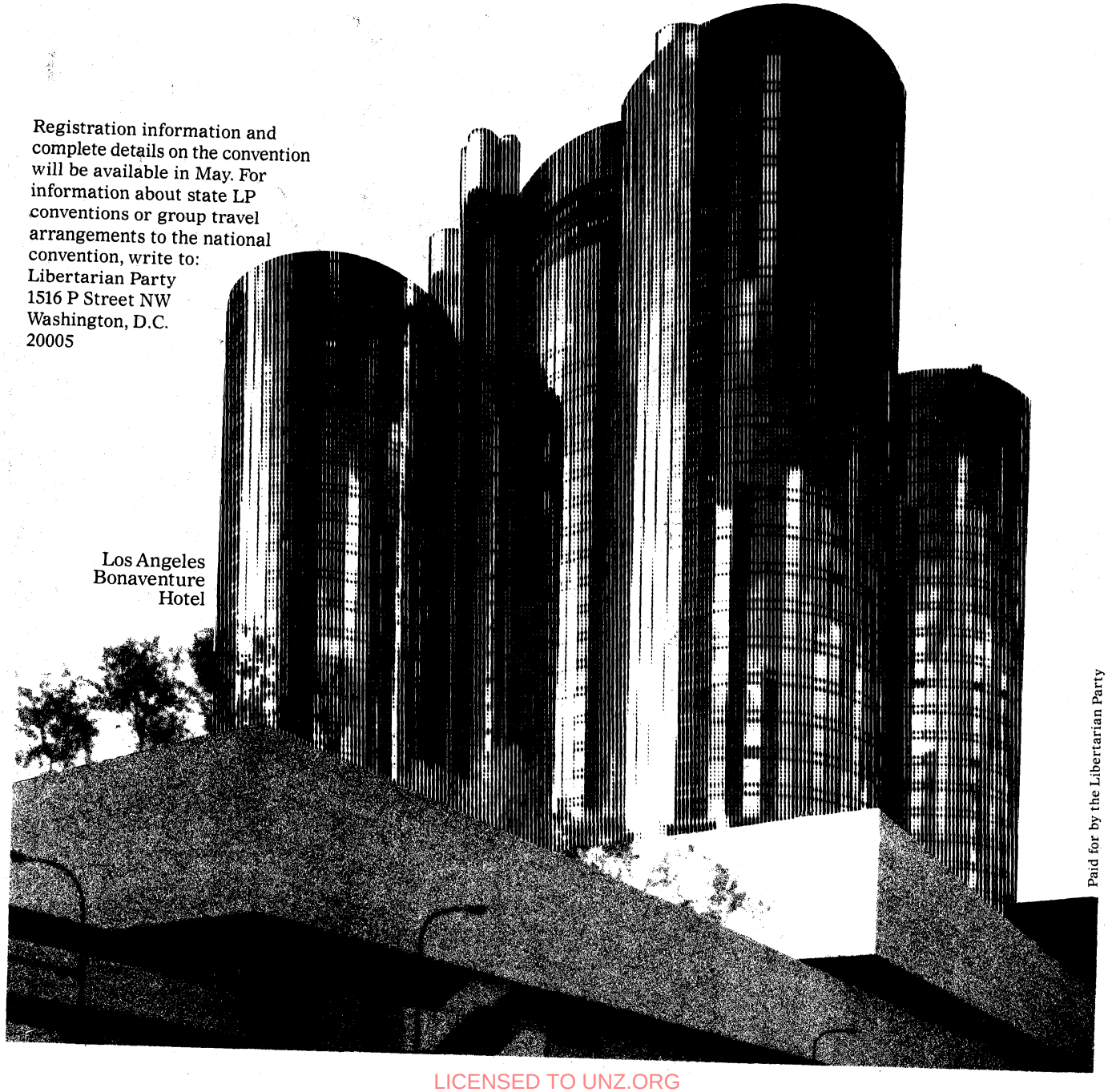

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